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LEGISLATIVE HISTORY

PUBLIC LAW 110-- 82nd CONGRESS

Chapter 298--1st Session

H. R. 2321

TABLE OF CONTENTS

Digest of Public Law 110	1
Index and Summary of History on H. R. 2321	2

DIGEST OF PUBLIC LAW 110--82nd

H. R. 2321. To protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs. The bill makes unlawful and an unfair method of competition under the Federal Trade Commission Act the introduction into commerce, sale, advertising, transportation, or distribution of any fur product which is misbranded or falsely or deceptively advertised or invoiced. It would be enforced by FTC, and this Department and Interior Department would cooperate with FTC in preparing and keeping current the Fur Products Name Guide to provide the true English names for the animals, the fur or hair of which are used in the fur trade.

SUMMARY AND INDEX OF HISTORY ON H. R. 2321

January 16, 1951	Senator Johnson introduced S 508; which was read twice and referred to the Committee on Interstate and Foreign Commerce. Print of Bill as introduced. (Similar to H.R. 2321)
February 2, 1951	Representative O'Hara introduced H. R. 2321 which was referred to the Committee on Interstate and Foreign Commerce. Print of Bill as introduced.
February 5, 1951	Committee on Interstate and Foreign Commerce reported S. 508 without amendment. Print of Bill as reported. Senate Report 78.
February 22, 1951	Mr. Lodge proposed amendment to S. 508. Print of amendment as proposed.
April 17, 1951	Hearings: House, on H. R. 2321
June 8, 1951	Ordered reported with amendments.
June 11, 1951	Reported with amendments. (House Report 546) Print of Bill as reported. H. R. 2321 referred to the Committee of the Whole House on the State of the Union.
June 13, 1951	Mr. Delaney from the Committee on Rules, reported the following privileged resolution (H. Res. 256, Report No. 573). Print of Resolution as reported.
June 18, 1951	Passed House with amendments
June 19, 1951	Placed on Senate Calendar
June 21, 1951	Passed Senate with amendments
June 22, 1951	House conferees appointed
June 25, 1951	Senate conferees appointed
July 26, 1951	Conferees agreed to file Conference Report
July 27, 1951	Both Houses agree to Conference Report. Print of report (House Report 769).
August 8, 1951	Approved — Public Law 110

82D CONGRESS
1ST SESSION

S. 508

IN THE SENATE OF THE UNITED STATES

JANUARY 16 (legislative day, JANUARY 8), 1951

Mr. JOHNSON of Colorado introduced the following bill; which was read twice
and referred to the Committee on Interstate and Foreign Commerce

A BILL

To protect consumers and others against misbranding, false
advertising, and false invoicing of fur products and furs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Fur Products Labeling
4 Act".

5 SEC. 2. As used in this Act—

6 (a) The term "person" means an individual, partner-
7 ship, corporation, association, business trust, or any organ-
8 ized group of any of the foregoing.

9 (b) The term "fur" means any animal skin or part
10 thereof with hair, fleece or fur fibers attached thereto, either
11 in its raw or processed state, but shall not include such skins

1 as are to be converted into leather or which in processing
2 shall have the hair, fleece, or fur fiber completely removed.

3 (c) The term “used fur” means fur in any form which
4 has been worn or used by an ultimate consumer.

5 (d) The term “fur product” means any article of wear-
6 ing apparel made in whole or in part of fur or used fur;
7 except that such term shall not include such articles as the
8 Commission shall exempt by reason of the relatively small
9 quantity or value of the fur or used fur contained therein.

10 (e) The term “waste fur” means the ears, throats, or
11 scrap pieces which have been severed from the animal pelt,
12 and shall include mats or plates made therefrom.

13 (f) The term “invoice” means a written account,
14 memorandum, list, or catalog, which is issued in connection
15 with any commercial dealing in fur products or furs, and
16 describes the particulars of any fur products or furs, trans-
17 ported or delivered to a purchaser, consignee, factor, bailee,
18 correspondent, or agent, or any other person who is engaged
19 in dealing commercially in fur products or furs.

20 (g) The term “Commission” means the Federal Trade
21 Commission.

22 (h) The term “Federal Trade Commission Act” means
23 the Act entitled “An Act to create a Federal Trade Com-
24 mission, to define its powers and duties, and for other pur-
25 poses”, approved September 26, 1914, as amended.

(i) The term "Fur Products Name Guide" means the register issued by the Commission pursuant to section 7 of this Act.

(j) The term "commerce" means commerce between any State, Territory, or possession of the United States, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession or the District of Columbia.

(k) The term "United States" means the several States, the District of Columbia, and the Territories and possessions of the United States.

MISBRANDING, FALSE ADVERTISING, AND INVOICING

DECLARED UNLAWFUL

SEC. 3. (a) The introduction, or manufacture for introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product which is misbranded or falsely or deceptively advertised or invoiced, within the meaning of this Act or the rules and regulations prescribed under section 8 (b), is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act.

1 (b) The manufacture for sale, sale, advertising, offer-
2 ing for sale, transportation or distribution, of any fur prod-
3 uct which is made in whole or in part of fur which has
4 been shipped and received in commerce, and which is mis-
5 branded or falsely or deceptively advertised or invoiced,
6 within the meaning of this Act or the rules and regulations
7 prescribed under section 8 (b), is unlawful and shall be an
8 unfair method of competition, and an unfair and deceptive
9 act or practice, in commerce under the Federal Trade Com-
10 mission Act.

11 (c) The introduction into commerce, or the sale, ad-
12 vertising or offering for sale in commerce, or the transporta-
13 tion or distribution in commerce, of any fur which is falsely
14 or deceptively advertised or falsely or deceptively invoiced,
15 within the meaning of this Act or the rules and regulations
16 prescribed under section 8 (b), is unlawful and shall be an
17 unfair method of competition, and an unfair and deceptive
18 act or practice, in commerce under the Federal Trade Com-
19 mission Act.

20 (d) Except as provided in subsection (e) of this section,
21 it shall be unlawful to remove or mutilate, or cause or
22 participate in the removal or mutilation of, prior to the time
23 any fur product is sold and delivered to the ultimate con-
24 sumer, any label required by this Act to be affixed to such
25 fur product, and any person violating this subsection is guilty

1 of an unfair method of competition, and an unfair or decep-
2 tive act or practice, in commerce under the Federal Trade
3 Commission Act.

4 (e) Any person introducing, selling, advertising, or
5 offering for sale, in commerce, or processing for commerce,
6 a fur product, may substitute for the label affixed to such
7 product pursuant to section 4 of this Act, a label conform-
8 ing to the requirements of such section, and such label may
9 show in lieu of the name or other identification shown pur-
10 suant to section 4 (2) (E) on the label so removed, the
11 name or other identification of the person making the substi-
12 tution. Any person substituting a label shall keep such rec-
13 ords as will show the information set forth on the label that
14 he removed and the name or names of the person or persons
15 from whom such fur product was received.

16 (f) Subsections (a), (b), and (c) of this section shall
17 not apply to any common carrier, contract carrier or freight
18 forwarder in respect of a fur product or fur shipped, trans-
19 ported, or delivered for shipment in commerce in the ordinary
20 course of business.

21 MISBRANDED FUR PRODUCTS

22 SEC. 4. For the purposes of this Act, a fur product
23 shall be considered to be misbranded—

24 (1) if it is falsely or deceptively labeled or other-
25 wise falsely or deceptively identified, or if the label con-

1 tains any form of misrepresentation or deception, directly
2 or by implication, with respect to such fur product;

3 (2) if there is not affixed to the fur product a label
4 showing in words and figures plainly legible—

5 (A) the name or names (as set forth in the
6 Fur Products Name Guide) of the animal or
7 animals that produced the fur, and such qualifying
8 statement as may be required pursuant to section
9 7 (c) of this Act;

10 (B) that the fur product contains or is com-
11 posed of used fur, when such is the fact;

12 (C) that the fur product contains or is com-
13 posed of bleached, dyed, or otherwise artificially
14 colored fur, when such is the fact;

15 (D) that the fur product is composed in whole
16 or in substantial part of paws, tails, bellies, or waste
17 fur, when such is the fact;

18 (E) the name, or other identification issued
19 and registered by the Commission; of one or more
20 of the persons who manufacture such fur product
21 for introduction into commerce, introduce it into
22 commerce, sell it in commerce, advertise or offer it
23 for sale in commerce, or transport or distribute it
24 in commerce;

(F) the name of the country of origin of any imported furs used in the fur product;

(3) if the label required by paragraph (2) (A) of this section sets forth the name or names of any animal or animals other than the name or names provided for in such paragraph.

FALSE ADVERTISING AND INVOICING OF FUR PRODUCTS
AND FURS

SEC. 5. (a) For the purposes of this Act, a fur product or fur shall be considered to be falsely or deceptively advertised if any advertisement, representation, public announcement, or notice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of such fur product or fur—

(1) does not show the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this Act;

(2) does not show that the fur is used fur or that the fur product contains used fur, when such is the fact;

(3) does not show that the fur product or fur is bleached, dyed, or otherwise artificially colored fur when such is the fact;

1 (4) does not show that the fur product is composed
2 in whole or in substantial part of paws, tails, bellies,
3 or waste fur, when such is the fact;

4 (5) contains the name or names of any animal or
5 animals other than the name or names specified in
6 paragraph (1) of this subsection, or contains any form
7 of misrepresentation or deception directly or by impli-
8 cation, with respect to such fur product or fur;

9 (6) does not show the name of the country of
10 origin of any imported furs or those contained in a fur
11 product.

12 (b) For the purposes of this Act, a fur product or
13 fur shall be considered to be falsely or deceptively invoiced—

14 (1) if such fur product or fur is not invoiced to
15 show—

16 (A) the name or names (as set forth in the
17 Fur Products Name Guide) of the animal or
18 animals that produced the fur, and such qualifying
19 statement as may be required pursuant to section
20 7 (c) of this Act;

21 (B) that the fur product contains or is com-
22 posed of used fur, when such is the fact;

23 (C) that the fur product contains or is com-
24 posed of bleached, dyed, or otherwise artificially
25 colored fur, when such is the fact;

(D) that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(E) the name and address of the person issuing such invoice;

(F) the name of the country of origin of any imported furs or those contained in a fur product;

(2) if such invoice contains the name or names of any animal or animals other than the name or names specified in paragraph (1) (A) of this subsection, or contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product or fur.

EXCLUSION OF MISBRANDED OR FALSELY INVOICED FUR
PRODUCTS OR FURS

SEC. 6. (a) Fur products imported into the United States shall be labeled so as not to be misbranded within the meaning of section 4 of this Act; and all invoices of fur products and furs required under the Act of June 17, 1930 (ch. 497, title IV, 46 Stat. 719), shall set forth, in addition to the matters therein specified, information conforming with the requirements of section 5 (b) of this Act, which information shall be included in the invoices prior to their certification under said Act of June 17, 1930.

1 (b) The falsification of, or failure to set forth, said
2 information in said invoices, or the falsification or perjury
3 of the consignee's declaration provided for in said Act of
4 June 17, 1930, insofar as it relates to said information, shall
5 be an unfair method of competition, and an unfair and
6 deceptive act or practice, in commerce under the Federal
7 Trade Commission Act; and any person who falsifies, or
8 fails to set forth, said information in said invoices, or who
9 falsifies or perjures said consignee's declaration insofar as
10 it relates to said information, may thenceforth be prohibited
11 by the Commission from importing, or participating in the
12 importation of, any fur products or furs into the United
13 States except upon filing bond with the Secretary of the
14 Treasury in a sum double the value of said fur products and
15 furs, and any duty thereon, conditioned upon compliance
16 with the provisions of this section.

17 (c) A verified statement from the manufacturer, pro-
18 ducer of, or dealer in, imported fur products and furs showing
19 information required under the provisions of this Act may be
20 required under regulations prescribed by the Secretary of the
21 Treasury.

22 NAME GUIDE FOR FUR PRODUCTS

23 SEC. 7. (a) The Commission shall, with the assistance
24 and cooperation of the Department of Agriculture and the

1 Department of the Interior, within six months after the
2 date of the enactment of this Act, issue, after holding
3 public hearings, a register setting forth the names of
4 hair, fleece, and fur-bearing animals, which shall be
5 known as the Fur Products Name Guide. The names
6 used shall be the true English names for the animals in
7 question, or in the absence of a true English name for an
8 animal, the name by which such animal can be properly
9 identified in the United States.

10 (b) The Commission may, from time to time, with the
11 assistance and cooperation of the Department of Agriculture
12 and Department of the Interior, after holding public hearings,
13 add to or delete from such register the name of any hair,
14 fleece, or fur-bearing animal.

15 (c) If the name of an animal (as set forth in the Fur
16 Products Name Guide) connotes a geographical origin or
17 significance other than the true country or place of origin
18 of such animal, the Commission may require whenever such
19 name is used in setting forth the information required by
20 this Act, such qualifying statement as it may deem necessary
21 to prevent confusion or deception.

22 ENFORCEMENT OF THE ACT

23 SEC. 8. (a) (1) Except as otherwise specifically pro-
24 vided in this Act, sections 3, 6, and 10 (b) of this Act shall

1 be enforced by the Federal Trade Commission under rules,
2 regulations, and procedure provided for in the Federal
3 Trade Commission Act.

4 (2) The Commission is authorized and directed to pre-
5 vent any person from violating the provisions of sections 3,
6 6, and 10 (b) of this Act in the same manner, by the same
7 means, and with the same jurisdiction, powers, and duties
8 as though all applicable terms and provisions of the Federal
9 Trade Commission Act were incorporated into and made
10 a part of this Act; and any such person violating any pro-
11 vision of section 3, 6, or 10 (b) of this Act shall be sub-
12 ject to the penalties and entitled to the privileges and immu-
13 nities provided in said Federal Trade Commission Act as
14 though the applicable terms and provisions of the said Fed-
15 eral Trade Commission Act were incorporated into and
16 made a part of this Act.

17 (b) The Commission is authorized and directed to
18 prescribe rules and regulations governing the manner and
19 form of disclosing information required by this Act, and such
20 further rules and regulations as may be necessary and proper
21 for purposes of administration and enforcement of this Act.

22 (c) The Commission is authorized (1) to cause inspec-
23 tions, analyses, tests, and examinations to be made of any
24 fur product or fur subject to this Act; and (2) to cooperate,
25 on matters related to the purposes of this Act, with any

1 department or agency of the Government; with any State,
2 Territory, or possession, or with the District of Columbia;
3 or with any department, agency, or political subdivision
4 thereof; or with any person.

5 (d) (1) Every manufacturer or dealer in fur products
6 or furs shall maintain proper records showing the informa-
7 tion required by this Act with respect to all fur products or
8 furs handled by him, and shall preserve such records for
9 at least three years.

10 (2) The neglect or refusal to maintain and preserve
11 such records is unlawful, and any such manufacturer or
12 dealer who neglects or refuses to maintain and preserve
13 such records shall forfeit to the United States the sum of
14 \$100 for each day of such failure which shall accrue to the
15 United States and be recoverable by a civil action.

16 CONDEMNATION AND INJUNCTION PROCEEDINGS

17 SEC. 9. (a) (1) Any fur product or fur shall be liable
18 to be proceeded against in the district court of the United
19 States for the district in which found, and to be seized for
20 confiscation by process of libel for condemnation, if the Com-
21 mission has reasonable cause to believe such fur product or
22 fur is being manufactured or held for shipment, or shipped,
23 or held for sale or exchange after shipment, in commerce,
24 in violation of the provisions of this Act, and if after notice
25 from the Commission the provisions of this Act with respect

1 to such fur product or fur are not shown to be complied with.
2 Proceedings in such libel cases shall conform as nearly as
3 may be to suits in rem in admiralty, and may be brought
4 by the Commission.

5 (2) If such fur products or furs are condemned by the
6 court, they shall be disposed of, in the discretion of the court,
7 by destruction, by sale, by delivery to the owner or claimant
8 thereof upon payment of legal costs and charges and upon
9 execution of good and sufficient bond to the effect that such
10 fur or fur products will not be disposed of until properly
11 marked, advertised, and invoiced as required under the pro-
12 visions of this Act; or by such charitable disposition as the
13 court may deem proper. If such fur or fur products are dis-
14 posed of by sale, the proceeds, less legal costs and charges,
15 shall be paid into the Treasury of the United States as mis-
16 cellaneous receipts.

17 (b) Whenever the Commission has reason to believe
18 that—

19 (1) any person is violating, or is about to violate,
20 section 3, 6, or 10 (b) of this Act; and

21 (2) it would be to the public interest to enjoin
22 such violation until complaint is issued by the Com-
23 mission under the Federal Trade Commission Act and
24 such complaint dismissed by the Commission or set aside
25 by the court on review, or until order to cease and

1 desist made thereon by the Commission has become
2 final within the meaning of the Federal Trade Commis-
3 sion Act,
4 the Commission may bring suit in the district court of the
5 United States or in the United States court of any Territory,
6 for the district or Territory in which such person resides or
7 transacts business, to enjoin such violation, and upon proper
8 showing a temporary injunction or restraining order shall
9 be granted without bond.

10 GUARANTY

11 SEC. 10. (a) No person shall be guilty under section 3
12 if he establishes a guaranty received in good faith signed
13 by and containing the name and address of the person re-
14 siding in the United States by whom the fur product or
15 fur guaranteed was manufactured or from whom it was
16 received, that said fur product is not misbranded or that
17 said fur product or fur is not falsely advertised or invoiced
18 under the provisions of this Act. Such guaranty shall be
19 either (1) a separate guaranty specifically designating the
20 fur product or fur guaranteed, in which case it may be on
21 the invoice or other paper relating to such fur product or
22 fur; or (2) a continuing guaranty filed with the Commis-
23 sion applicable to any fur product or fur handled by a
24 guarantor, in such form as the Commission by rules and
25 regulations may prescribe.

1 (b) It shall be unlawful for any person to furnish, with
2 respect to any fur product or fur, a false guaranty (except
3 a person relying upon a guaranty to the same effect received
4 in good faith signed by and containing the name and address
5 of the person residing in the United States by whom the
6 fur product or fur guaranteed was manufactured or from
7 whom it was received) with reason to believe the fur
8 product or fur falsely guaranteed may be introduced, sold,
9 transported, or distributed in commerce, and any person
10 who violates the provisions of this subsection is guilty of an
11 unfair method of competition, and an unfair or deceptive
12 act or practice, in commerce within the meaning of the
13 Federal Trade Commission Act.

14

CRIMINAL PENALTY

15 SEC. 11. (a) Any person who willfully violates section
16 3, 6, or 10 (b) of this Act shall be guilty of a misdemeanor
17 and upon conviction shall be fined not more than \$5,000,
18 or be imprisoned not more than one year, or both, in the
19 discretion of the court.

20 (b) Whenever the Commission has reason to believe
21 any person is guilty of a misdemeanor under this section, it
22 shall certify all pertinent facts to the Attorney General,
23 whose duty it shall be to cause appropriate proceedings to
24 be brought for the enforcement of the provisions of this
25 section against such person.

APPLICATION OF EXISTING LAWS

SEC. 12. The provisions of this Act shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other Act of Congress.

SEPARABILITY OF PROVISIONS

SEC. 13. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to any other person or circumstance shall not be affected thereby.

EFFECTIVE DATE

SEC. 14. This Act, except section 7, shall take effect one year after the date of its enactment.

A BILL

To protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs.

By Mr. JOHNSON of Colorado

JANUARY 16 (legislative day, JANUARY 8), 1951

Read twice and referred to the Committee on
Interstate and Foreign Commerce

82D CONGRESS
1ST SESSION

H. R. 2321

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 1951

Mr. O'HARA introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce

A BILL

To protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Fur Products Labeling
4 Act".

5 SEC. 2. As used in this Act—

6 (a) The term "person" means an individual, partner-
7 ship, corporation, association, business trust, or any organ-
8 ized group of any of the foregoing.

9 (b) The term "fur" means any animal skin or part
10 thereof with hair, fleece or fur fibers attached thereto, either
11 in its raw or processed state, but shall not include such skins

1 as are to be converted into leather or which in processing
2 shall have the hair, fleece, or fur fiber completely removed.

3 (c) The term "used fur" means fur in any form which
4 has been worn or used by an ultimate consumer.

5 (d) The term "fur product" means any article of wear-
6 ing apparel made in whole or in part of fur or used fur;
7 except that such term shall not include such articles as the
8 Commission shall exempt by reason of the relatively small
9 quantity or value of the fur or used fur contained therein.

10 (e) The term "waste fur" means the ears, throats, or
11 scrap pieces which have been severed from the animal pelt,
12 and shall include mats or plates made therefrom.

13 (f) The term "invoice" means a written account,
14 memorandum, list, or catalog, which is issued in connection
15 with any commercial dealing in fur products or furs, and
16 describes the particulars of any fur products or furs, trans-
17 ported or delivered to a purchaser, consignee, factor, bailee,
18 correspondent, or agent, or any other person who is engaged
19 in dealing commercially in fur products or furs.

20 (g) The term "Commission" means the Federal Trade
21 Commission.

22 (h) The term "Federal Trade Commission Act" means
23 the Act entitled "An Act to create a Federal Trade Com-
24 mission, to define its powers and duties, and for other pur-
25 poses", approved September 26, 1914, as amended.

1 (i) The term "Fur Products Name Guide" means the
2 register issued by the Commission pursuant to section 7 of
3 this Act.

4 (j) The term "commerce" means commerce between
5 any State, Territory, or possession of the United States, or
6 the District of Columbia, and any place outside thereof; or
7 between points within the same State, Territory, or posses-
8 sion, or the District of Columbia, but through any place
9 outside thereof; or within any Territory or possession or
10 the District of Columbia.

11 (k) The term "United States" means the several
12 States, the District of Columbia, and the Territories and
13 possessions of the United States.

14 MISBRANDING, FALSE ADVERTISING, AND INVOICING

15 DECLARED UNLAWFUL

16 SEC. 3. (a) The introduction, or manufacture for in-
17 troduction, into commerce, or the sale, advertising or offering
18 for sale in commerce, or the transportation or distribution
19 in commerce, of any fur product which is misbranded or
20 falsely or deceptively advertised or invoiced, within the
21 meaning of this Act or the rules and regulations prescribed
22 under section 8 (b), is unlawful and shall be an unfair
23 method of competition, and an unfair and deceptive act or
24 practice, in commerce under the Federal Trade Commission
25 Act.

1 (b) The manufacture for sale, sale, advertising, offer-
2 ing for sale, transportation or distribution, of any fur prod-
3 uct which is made in whole or in part of fur which has
4 been shipped and received in commerce, and which is mis-
5 branded or falsely or deceptively advertised or invoiced,
6 within the meaning of this Act or the rules and regulations
7 prescribed under section 8 (b), is unlawful and shall be an
8 unfair method of competition, and an unfair and deceptive
9 act or practice, in commerce under the Federal Trade Com-
10 mission Act.

11 (c) The introduction into commerce, or the sale, ad-
12 vertising or offering for sale in commerce, or the transporta-
13 tion or distribution in commerce, of any fur which is falsely
14 or deceptively advertised or falsely or deceptively invoiced,
15 within the meaning of this Act or the rules and regulations
16 prescribed under section 8 (b), is unlawful and shall be an
17 unfair method of competition, and an unfair and deceptive
18 act or practice, in commerce under the Federal Trade Com-
19 mission Act.

20 (d) Except as provided in subsection (e) of this section,
21 it shall be unlawful to remove or mutilate, or cause or
22 participate in the removal or mutilation of, prior to the time
23 any fur product is sold and delivered to the ultimate con-
24 sumer, any label required by this Act to be affixed to such
25 fur product, and any person violating this subsection is guilty

1 of an unfair method of competition, and an unfair or decep-
2 tive act or practice, in commerce under the Federal Trade
3 Commission Act.

4 (e) Any person introducing, selling, advertising, or
5 offering for sale, in commerce, or processing for commerce,
6 a fur product, may substitute for the label affixed to such
7 product pursuant to section 4 of this Act, a label conform-
8 ing to the requirements of such section, and such label may
9 show in lieu of the name or other identification shown pur-
10 suant to section 4 (2) (E) on the label so removed, the
11 name or other identification of the person making the substi-
12 tution. Any person substituting a label shall keep such rec-
13 ords as will show the information set forth on the label that
14 he removed and the name or names of the person or persons
15 from whom such fur product was received.

16 (f) Subsections (a), (b), and (c) of this section shall
17 not apply to any common carrier, ~~or~~ contract carrier or
18 *freight forwarder* in respect of a fur product or fur shipped,
19 transported, or delivered for shipment in commerce in the
20 ordinary course of business.

21 MISBRANDED FUR PRODUCTS

22 SEC. 4. For for the purposes of this Act, a fur product
23 shall be considered to be misbranded—

24 (1) if it is falsely or deceptively labeled or other-
25 wise falsely or deceptively identified, or if the label con-

1 tains any form of misrepresentation or deception, directly
2 or by implication, with respect to such fur product;

3 (2) if there is not affixed to the fur product a label
4 showing in words and figures plainly legible—

5 (A) the name or names (as set forth in the
6 Fur Products Name Guide) of the animal or
7 animals that produced the fur, and such qualifying
8 statement as may be required pursuant to section
9 7 (c) of this Act;

10 (B) that the fur product contains or is com-
11 posed of used fur, when such is the fact;

12 (C) that the fur product contains or is com-
13 posed of bleached, dyed, or otherwise artificially
14 colored fur, when such is the fact;

15 (D) that the fur product is composed in whole
16 or in substantial part of paws, tails, bellies, or waste
17 fur, when such is the fact;

18 (E) the name, or other identification issued
19 and registered by the Commission, of one or more
20 of the persons who manufacture such fur product
21 for introduction into commerce, introduce it into
22 commerce, sell it in commerce, advertise or offer it
23 for sale in commerce, or transport or distribute it
24 in commerce;

(3) if the label required by paragraph (2) (A) of this section sets forth the name or names of any animal or animals other than the name or names provided for in such paragraph, unless such name or names are preceded by the words "Processed to simulate" and the fur product has been so processed.

FALSE ADVERTISING AND INVOICING OF FUR PRODUCTS
AND FURS

SEC. 5. (a) For the purposes of this Act, a fur product or fur shall be considered to be falsely or deceptively advertised if any advertisement, representation, public announcement, or notice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of such fur product or fur—

(1) does not show the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this Act;

(2) does not show that the fur is used fur or that the fur product contains used fur, when such is the fact;

(3) does not show that the fur product or fur is bleached, dyed, or otherwise artificially colored fur when such is the fact;

1 (4) does not show that the fur product is composed
2 in whole or in substantial part of paws, tails, bellies,
3 or waste fur, when such is the fact;

4 (5) contains the name or names of any animal or
5 animals other than the name or names specified in
6 paragraph (1) of this subsection, unless such name or
7 names are preceded by the words “Processed to simu-
8 late” and the fur product has been so processed, or
9 contains any form of misrepresentation or deception,
10 directly or by implication, with respect to such fur
11 product or fur.

12 (b) For the purposes of this Act, a fur product or
13 fur shall be considered to be falsely or deceptively invoiced—

14 (1) if such fur product or fur is not invoiced to
15 show—

16 (A) the name or names (as set forth in the
17 Fur Products Name Guide) of the animal or
18 animals that produced the fur, and such qualifying
19 statement as may be required pursuant to section
20 7 (c) of this Act;

21 (B) that the fur product contains or is com-
22 posed of used fur, when such is the fact;

23 (C) that the fur product contains or is com-
24 posed of bleached, dyed, or otherwise artificially
25 colored fur, when such is the fact;

(D) that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(E) the name and address of the person issuing such invoice;

(2) if such invoice contains the name or names of any animal or animals other than the name or names specified in paragraph (1) (A) of this subsection, unless such name or names are preceded by the words "Processed to simulate" and the fur product has been so processed, or contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product or fur.

EXCLUSION OF MISBRANDED OR FALSELY INVOICED FUR
PRODUCTS OR FURS

SEC. 6. (a) Fur products imported into the United States shall be labeled so as not to be misbranded within the meaning of section 4 of this Act; and all invoices of fur products and furs required under the Act of June 17, 1930 (ch. 497, title IV, 46 Stat. 719), shall set forth, in addition to the matter therein specified, information conforming with the requirements of section 5 (b) of this Act, which information shall be included in the invoices prior to their certification under said Act of June 17, 1930.

1 (b) The falsification of, or failure to set forth, said
2 information in said invoices, or the falsification or perjury
3 of the consignee's declaration provided for in said Act of
4 June 17, 1930, insofar as it relates to said information,
5 shall be an unfair method of competition, and an unfair and
6 deceptive act or practice, in commerce under the Federal
7 Trade Commission Act; and any person who falsifies, or
8 fails to set forth, said information in said invoices, or who
9 falsifies or perjures said consignee's declaration insofar as
10 it relates to said information, may thenceforth be prohibited
11 by the Commission from importing, or participating in the
12 importation of, any fur products or furs into the United
13 States except upon filing bond with the Secretary of the
14 Treasury in a sum double the value of said fur products and
15 furs, and any duty thereon, conditioned upon compliance
16 with the provisions of this section.

17 (c) A verified statement from the manufacturer, pro-
18 ducer of, or dealer in, imported fur products and furs showing
19 information required under the provisions of this Act may be
20 required under regulations prescribed by the Secretary of the
21 Treasury.

22 NAME GUIDE FOR FUR PRODUCTS

23 SEC. 7. (a) The Commission shall, with the assistance
24 and cooperation of the Department of Agriculture and the

1 Department of the Interior, within six months after the
2 date of the enactment of this Act, issue, after holding
3 public hearings, a register setting forth the names of
4 hair, fleece, and fur-bearing animals, which shall be
5 known as the Fur Products Name Guide. The names
6 used shall be the true English names for the animals in
7 question, or in the absence of a true English name for an
8 animal, the name by which such animal can be properly
9 identified in the United States.

10 (b) The Commission may, from time to time, with the
11 assistance and cooperation of the Department of Agriculture
12 and Department of the Interior, after holding public hearings,
13 add to or delete from such register the name of any hair,
14 fleece, or fur-bearing animal.

15 (c) If the name of an animal (as set forth in the Fur
16 Products Name Guide) connotes a geographical origin or
17 significance other than the true country or place of origin
18 of such animal, the Commission may require whenever such
19 name is used in setting forth the information required by
20 this Act, such qualifying statement as it may deem necessary
21 to prevent confusion or deception.

22 ENFORCEMENT OF THE ACT

23 SEC. 8. (a) (1) Except as otherwise specifically pro-
24 vided in this Act, sections 3, 6, and 10 (b) of this Act shall

1 be enforced by the Federal Trade Commission under rules,
2 regulations, and procedure provided for in the Federal
3 Trade Commission Act.

4 (2) The Commission is authorized and directed to pre-
5 vent any person from violating the provisions of sections 3,
6 6, and 10 (b) of this Act in the same manner, by the same
7 means, and with the same jurisdiction, powers, and duties
8 as though all applicable terms and provisions of the Federal
9 Trade Commission Act were incorporated into and made
10 a part of this Act; and any such person violating any pro-
11 vision of section 3, 6, or 10 (b) of this Act shall be sub-
12 ject to the penalties and entitled to the privileges and immu-
13 nities provided in said Federal Trade Commission Act as
14 though the applicable terms and provisions of the said Fed-
15 eral Trade Commission Act were incorporated into and
16 made a part of this Act.

17 (b) The Commission is authorized and directed to
18 prescribe rules and regulations governing the manner and
19 form of disclosing information required by this Act, and such
20 further rules and regulations as may be necessary and proper
21 for purposes of administration and enforcement of this Act.

22 (c) The Commission is authorized (1) to cause inspec-
23 tions, analyses, tests, and examinations to be made of any
24 fur product or fur subject to this Act; and (2) to cooperate,
25 on matters related to the purposes of this Act, with any

1 department or agency of the Government; with any State,
2 Territory, or possession, or with the District of Columbia;
3 or with any department, agency, or political subdivision
4 thereof; or with any person.

5 (d) (1) Every manufacturer or dealer in fur products
6 or furs shall maintain proper records showing the informa-
7 tion required by this Act with respect to all fur products or
8 furs handled by him, and shall preserve such records for
9 at least three years.

10 (2) The neglect or refusal to maintain and preserve
11 such records is unlawful, and any such manufacturer or
12 dealer who neglects or refuses to maintain and preserve
13 such records shall forfeit to the United States the sum of
14 \$100 for each day of such failure which shall accrue to the
15 United States and be recoverable by a civil action.

16 CONDEMNATION AND INJUNCTION PROCEEDINGS

17 SEC. 9. (a) (1) Any fur product or fur shall be liable
18 to be proceeded against in the district court of the United
19 States for the district in which found, and to be seized for
20 confiscation by process of libel for condemnation, if the Com-
21 mission has reasonable cause to believe such fur product or
22 fur is being manufactured or held for shipment, or shipped,
23 or held for sale or exchange after shipment, in commerce,
24 in violation of the provisions of this Act, and if after notice
25 from the Commission the provisions of this Act with respect

1 to such fur product or fur are not shown to be complied with.
2 Proceedings in such libel cases shall conform as nearly as
3 may be to suits in rem in admiralty, and may be brought
4 by the Commission.

5 (2) If such fur products or furs are condemned by the
6 court, they shall be disposed of, in the discretion of the court,
7 by destruction, by sale, by delivery to the owner or claimant
8 thereof upon payment of legal costs and charges and upon
9 execution of good and sufficient bond to the effect that such
10 fur or fur products will not be disposed of until properly
11 marked, advertised, and invoiced as required under the pro-
12 visions of this Act; or by such charitable disposition as the
13 court may deem proper. If such fur or fur products are dis-
14 posed of by sale, the proceeds, less legal costs and charges,
15 shall be paid into the Treasury of the United States as mis-
16 cellaneous receipts.

17 (b) Whenever the Commission has reason to believe
18 that—

19 (1) any person is violating, or is about to violate,
20 section 3, 6, or 10 (b) of this Act; and

21 (2) it would be to the public interest to enjoin
22 such violation until complaint is issued by the Com-
23 mission under the Federal Trade Commission Act and
24 such complaint dismissed by the Commission or set aside
25 by the court on review, or until order to cease and

desist made thereon by the Commission has become final within the meaning of the Federal Trade Commission Act,

the Commission may bring suit in the district court of the United States or in the United States court of any Territory, for the district or Territory in which such person resides or transacts business, to enjoin such violation, and upon proper showing a temporary injunction or restraining order shall be granted without bond.

GUARANTY

SEC. 10. (a) No person shall be guilty under section 3 if he establishes a guaranty received in good faith signed by and containing the name and address of the person residing in the United States by whom the fur product or fur guaranteed was manufactured or from whom it was received, that said fur product is not misbranded or that said fur product or fur is not falsely advertised or invoiced under the provisions of this Act. Such guaranty shall be either (1) a separate guaranty specifically designating the fur product or fur guaranteed, in which case it may be on the invoice or other paper relating to such fur product or fur; or (2) a continuing guaranty filed with the Commission applicable to any fur product or fur handled by a guarantor, in such form as the Commission by rules and regulations may prescribe.

(b) It shall be unlawful for any person to furnish, with respect to any fur product or fur, a false guaranty (except a person relying upon a guaranty to the same effect received in good faith signed by and containing the name and address of the person residing in the United States by whom the fur product or fur guaranteed was manufactured or from whom it was received) with reason to believe the fur product or fur falsely guaranteed may be introduced, sold, transported, or distributed in commerce, and any person who violates the provisions of this subsection is guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce within the meaning of the Federal Trade Commission Act.

CRIMINAL PENALTY

SEC. 11. (a) Any person who willfully violates section
3, 6, or 10 (b) of this Act shall be guilty of a misdemeanor
and upon conviction shall be fined not more than \$5,000,
or be imprisoned not more than one year, or both, in the
discretion of the court.

(b) Whenever the Commission has reason to believe any person is guilty of a misdemeanor under this section, it shall certify all pertinent facts to the Attorney General, whose duty it shall be to cause appropriate proceedings to be brought for the enforcement of the provisions of this section against such person.

APPLICATION OF EXISTING LAWS

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SEC. 12. The provisions of this Act shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other Act of Congress.

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SEPARABILITY OF PROVISIONS

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SEC. 13. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to any other person or circumstance shall not be affected thereby.

11

EFFECTIVE DATE

12

13

SEC. 14. This Act, except section 7, shall take effect one year after the date of its enactment.

A BILL

To protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs.

By Mr. O'HARA

FEBRUARY 2, 1951

Referred to the Committee on Interstate and Foreign
Commerce

FUR LABELING

FEBRUARY 5 (legislative day, JANUARY 29), 1951.—Ordered to be printed

Mr. JOHNSON of Colorado, from the Committee on Interstate and Foreign Commerce, submitted the following

REPORT

[To accompany S. 508]

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (S. 508) to protect consumers and others against misbranding, false advertising, and false invoicing for fur products and furs, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

Fur-labeling legislation has been the subject of extensive House and Senate committee hearings dating back to 1947. With two exceptions, S. 508 is identical to H. R. 5187 of the Eighty-first Congress. The House Committee on Interstate and Foreign Commerce held lengthy hearings in May 1949, and your committee conducted full and complete hearings on that bill in August and September 1949, receiving testimony from all interested parties, Government witnesses, and various segments of the fur industry. Every provision of the bill herewith reported by unanimous vote of your committee has been subjected to searching analysis and discussion in the public hearings that were held on fur-labeling legislation during the Eightieth and Eighty-first Congresses. Following public hearings in 1949, H. R. 5187 was reported favorably by unanimous vote of the House committee, the Rules Committee granted a rule on the legislation, and it passed the House without objection. Following public hearings before your committee in 1950, H. R. 5187 was reported favorably by unanimous committee vote on August 23, 1950, and was on the Senate Calendar when Congress adjourned.

This bill has a twofold purpose: (1) To protect consumers and scrupulous merchants against deception and unfair competition resulting from the misbranding, false or deceptive advertising, or false invoicing of fur products and furs, and (2) to protect our domestic fur producers against unfair competition.

Generally speaking, this bill is modeled after the Wool Products Labeling Act of 1939, which, incidentally, is now widely acclaimed

although it was bitterly opposed by some segments of the industry at the time of its enactment. The bill requires mandatory labeling of fur articles of wearing apparel and invoicing of furs moving in interstate or foreign commerce to show the name of the animal that produced the fur, the country of origin, and when such is the case the fact that the garment contained used fur or that the furs are bleached or dyed or that the fur product is composed of inferior pieces such as paws, tails, bellies, or waste fur. It further requires that when fur products or furs are advertised in commerce such important facts shall be truthfully stated. Section 7 provides for the establishment and maintenance by the Federal Trade Commission, in cooperation with the Agriculture and Interior Departments, of a Fur Products Name Guide setting forth the true English names, or other appropriate animal names, to be used in labeling, invoicing, and advertising the respective furs from various animals. The bill further provides that these facts must be truthfully disclosed when fur products or furs are advertised in commerce.

While the legislation requires mandatory labeling of fur articles, in order to prevent unnecessary hardship and to aid the various segments of the industry that handle the article before it reaches the ultimate consumer, section 3 permits the substitution of labels. Under this section any wholesaler, for example, may substitute his own label for that of the manufacturer, subject, of course, to the affirmative requirements of the statute.

Although a product of nature, fur when offered and sold to the buying public often has had its natural appearance materially changed by processing and dyeing. While the dyeing or processing may improve the outward appearance of the product, it is usually done for the purpose of giving the article the appearance of being a fur of a higher quality or grade than it actually is, or for the purpose of imitating the more costly fur of an entirely different animal. Consequently, it is difficult and generally impossible for the American housewife to know what she is buying unless reliable factual information is disclosed to counteract the impression left with her as a result of the deceptive condition of the particular fur article of wearing apparel. When muskrat, for example, is dyed and processed to have the appearance of mink, the resemblance of the imitation to the genuine is so close as to be most deceptive in the absence of truthful disclosure revealing that fact that it is not mink but muskrat. In like fashion, rabbit is dyed and processed to imitate seal and many other furs. It was brought out at the hearings before your committee that rabbit fur has been sold under 50 other names, none of which revealed the fact that the fur actually was rabbit. During the hearings on this legislation the Federal Trade Commission introduced into the record a sampling of fur advertisements that appeared in newspapers throughout the country in 1949. This list, which comprised some 200 advertisements and which appears in the printed hearings at pages 41-47, demonstrates clearly the misleading and deceptive advertising which this legislation seeks to prevent.

Your committee believes that this legislation will contribute substantially to the stability and well-being of our growing fur-trade industry. According to testimony adduced at the hearings, the value of wild furs in 1948 totaled \$82,000,000. Farm-raised furs had a value of \$36,000,000. More than \$162,000,000 worth of raw fur was im-

ported, making a total of \$281,000,000 in domestic and imported furs. The retail value of furs used in this country in 1948 was estimated at \$700,000,000.

The fur farmers of this country are wholeheartedly in favor of this legislation. They must have the protection it will afford them if they are to continue to provide the consumer with quality furs at the lowest possible price. The producers of fine merchandise are the ones who suffer when unscrupulous merchants indulge in false and misleading labeling and advertising practices. If our domestic fur industry is to be successful, it must produce first-quality fur animals and have the fur identified by its true name.

The enforcement provisions of this legislation closely follow those of the Wool Products Labeling Act; and, like that act, this bill will be administered by the Federal Trade Commission. In a letter to the chairman of your committee, which is set forth in full below for the information of the Senate, the Federal Trade Commission recommends the enactment of S. 508 and states:

The administration of the proposed statute lends itself to be readily integrated with the Commission's duties under the Wool Products Labeling Act. With such in mind, its administration and enforcement would be considerably more economical than otherwise possible. Under such condition it is estimated that the cost of administering the act on a fiscal-year basis would approximate \$75,000.

The bill also has the approval of the Department of Agriculture, the Department of Commerce, and the Bureau of the Budget and has been cleared with the Treasury, Interior, and Justice Departments and the General Accounting Office.

The Secretary of Commerce, in a letter endorsing the objectives of this legislation, stated:

Protection afforded manufacturers and consumers by the Wool Products Labeling Act of 1939 offers a cogent argument for the adoption of legislation to afford similar protection for manufacturers and consumers against similar unfair or deceptive acts or practices in the fur industry.

Your committee believes that this legislation is in the public interest and should be enacted into law. As stated by Representative Joseph P. O'Hara, of Minnesota, author of the companion House bill, when he appeared last year before your committee and urged the enactment of fur-labeling legislation:

The effect of this bill will be to require honest, fair labeling and honest advertising, and will afford protection of a very substantial character, not only to the buying public but also to the industry and trades engaged in the fur business.

SECTION-BY-SECTION ANALYSIS OF THE BILL

Section 1 provides a short title for the act: "Fur Product Labeling Act."

Section 2 contains definitions of various terms used in the bill.

Section 3 makes unlawful the manufacture for introduction into commerce or the sale, advertising, or transportation in commerce of fur products which are misbranded or falsely or deceptively advertised or invoiced. The manufacture for sale, advertising, or transportation of any fur product which is made in whole or in part of fur which has been shipped and received in commerce and which is misbranded or falsely or deceptively advertised or invoiced is declared unlawful. The introduction into commerce or the sale or trans-

portation in commerce of any fur which is falsely or deceptively advertised or invoiced is made unlawful. Section 3 further provides that it shall be unlawful to remove or mutilate any label required by the bill, but any person handling a fur product in commerce may affix a substitute label to the product, but in such event he must keep a record showing the information set forth on the label that he removed and the name or names of the person or persons from whom he received the fur product. Section 3 (f) exempts common and contract carriers from the provisions of the bill.

Section 4 relates to the misbranding of fur products and provides that a fur product shall be considered to be misbranded (1) if it is falsely or deceptively labeled or identified or if the label contains any form of misrepresentation or deception; (2) if the label does not contain the name of the animal that produced the fur, the fact that the fur product contains used fur or is composed of bleached, dyed, or otherwise artificially colored fur, or is composed in whole or in part of paws, tails, bellies, or waste fur, when such is the fact; or (3) if the label required by this section contains the name of any animal other than the name of the animal that produced the fur.

Section 5 relates to the false advertising and invoicing of fur products and furs and follows closely the language of section 4.

Sections 4 and 5 also provide that labels, advertisements, and invoices must show the country of origin of the fur. This brings the bill into conformity with the requirements of existing law that products imported into the United States must be marked to show the country of origin so purchasers may know from whence such goods came and have the information to guide them when choosing their purchases. This provision should aid materially in putting an end to the practice of representing that the fur originated in a particular country when such is not true; will close the door to the possibility of the furs of one country being passed off for those of another; and will effectively check types of advertising, invoicing, and labeling which by implication are calculated to mislead one as to the habitat of the animal, a matter regarded by many consumers as having considerable bearing on the quality and character of furs.

Section 6 deals with imported fur products and furs. Any person who falsifies an invoice of declaration or otherwise fails to comply with the requirements of this act may be prohibited by the Commission from importing furs or fur products except under certain conditions. In addition, the Secretary of the Treasury may, under rules and regulations to be established by him, require a manufacturer, producer of, or dealer in imported furs and fur products to file a statement showing the information required by the provisions of this act.

Section 7 provides for the establishment of a Fur Products Name Guide within 6 months after the enactment of this act. The Department of Agriculture and the Department of the Interior are required to assist in its preparation. The guide is to contain the names of hair, fleece, and fur-bearing animals; only the true English names of the animals shall be used; or, if there is no true English name for an animal, then the name by which the animal can be properly identified

in the United States. The Commission may from time to time, after holding public hearings, add to or delete from such Fur Products Name Guide register the name of any hair, fleece, or fur-bearing animal. If the name of an animal connotes a geographical origin or significance other than the true country or place of origin, the Commission may require that when such name is used it shall be accompanied by a qualifying statement so as to eliminate any possible deception or confusion.

Section 8 places enforcement of the act in the Federal Trade Commission under rules and regulations to be prescribed by it.

Section 9 provides for injunction and condemnation proceedings where the other remedies provided in the act are not sufficient.

Section 10 provides for the establishment of guaranties which may be separate or continuing. The separate guaranty may be on the invoice or other paper relating to the fur product or fur; the continuing guaranty must be filed with the Commission and it may cover any fur product or fur handled by the guarantor. A person relying in good faith on such guaranty shall not be guilty under section 3 of the act.

Section 11 is the criminal-penalty section, applicable to willful violation of the act.

Section 12 relates to the application of existing law.

Section 13 is the usual separability provision.

Section 14 provides that this act shall take effect 1 year after the date of its enactment.

FEDERAL TRADE COMMISSION,
Washington, January 23, 1951.

Hon. EDWIN C. JOHNSON,
*Chairman, Committee on Interstate and Foreign Commerce,
United States Senate, Washington, D. C.*

MY DEAR MR. CHAIRMAN: This is with further reference to your letter of January 17, 1951, enclosing a copy of S. 508, Eighty-second Congress, first session, entitled "A bill to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs," introduced in the Senate of the United States on January 16, 1951, and requesting such comments thereon as the Commission may desire to make. In response thereto, I wish to advise that the bill has been carefully examined and the following comment is submitted by the Commission for the information of your committee.

The bill is generally modeled after the Wool Products Labeling Act of 1939. Its general objective is to protect consumers and scrupulous merchants against deception and unfair competition resulting from the misbranding, false or deceptive advertising, or false invoicing of fur products and furs, and to protect domestic fur producers against unfair competition.

The proposed legislation requires mandatory labeling of fur articles of wearing apparel and invoicing of furs moving in interstate or foreign commerce to show the name (as set forth in the Fur Products Name Guide) of the animal that produced the fur, and when such is the case the fact that the garment contained used fur or that the furs are bleached or dyed or that the fur product is composed of inferior pieces such as paws, tails, bellies, or waste fur. The name of the country of origin of any imported furs used in fur products must also be shown. It further requires that when fur products or furs are advertised in commerce that such important facts also be truthfully disclosed. The proposed legislation makes subject to its provisions not only those marketing fur products in interstate commerce, but those marketing fur products made in whole or in part of fur which has been shipped and received in commerce. The use of substitute labels is also provided for by those subject to the affirmative requirements of the bill.

In addition, the bill provides for the establishment and maintenance by the Federal Trade Commission, with the assistance and cooperation of the Departments of Agriculture and Interior, of a Fur Products Name Guide setting forth the true English names, or other appropriate animal names, to be used in labeling,

invoicing, and advertising the respective furs from various animals. The bill further provides for administration by the Federal Trade Commission in accordance with administrative procedure long operative in Commission work under comparable statutes, namely, the Federal Trade Commission Act and the Wool Products Labeling Act. It also provides for temporary injunctive relief as well as for actions in rem for seizure of misbranded fur products and furs which are in violation of the act. Separate or continuing guaranties are provided for where desired, for the protection of subsequent resellers. The use of false guaranties is declared unlawful. Together with the provisions for administrative enforcement by the Commission, the bill also provides for misdemeanor proceedings in district courts on behalf of the United States against willful violators of its provisions. The administrative enforcement provisions incorporated in the bill are of the type customarily found advisable and appropriate in legislation of this character and experience has proven such procedure most effective and of the type least burdensome.

Need for the proposed legislation is predicated upon the ever-increasing number of foreign names and fictitious designations used in advertising and in describing fur products and furs, which designations often appear quite confusing and misleading to potential purchasers as to the kind and quality of fur being offered for sale.

The proposed legislation would not only protect the consumer against such inroads of deception and false and misleading advertising, but would also afford protection to our domestic infant fur-farming industry that it may be shielded from unscrupulous competition arising out of the use of false and glamorized designations for cheap imported furs.

While furs are natural products they are peculiarly susceptible to dyeing and other manipulation and processing which tend to change their appearance. Such manipulations are commonly undertaken for the purpose of simulating more expensive furs in appearance. This practice makes it easily possible for the purchasing public to be misled and deceived and the bill under consideration will go far toward protecting the unsuspecting consumers and dealers.

The bill goes considerably further in providing public protection in connection with the fur industry than appears possible under existing law and the Commission's Trade Practice Rules for the Fur Industry, two copies of which are enclosed herewith. While the operation of the trade practice rules has afforded the public and business a material measure of protection, the bill would make it possible to effect even a wider and more thorough and complete protection. Thus, it is believed that the objectives of the bill would provide a valuable supplement to existing authority.

In view of the circumstances and prevailing conditions in the fur industry, it is believed that legislation of the type provided by the bill under consideration would be beneficial and in the public interest.

The administration of the proposed statute lends itself to be readily integrated with the Commission's duties under the Wool Products Labeling Act. With such in mind, its administration and enforcement would be considerably more economical than otherwise possible. Under such condition it is estimated that the cost of administering the act on a fiscal-year basis would approximate \$75,000.

The Commission wishes to advise that members of its staff who are fully acquainted with the provisions of the bill will be available for any services they may be able to render the committee.

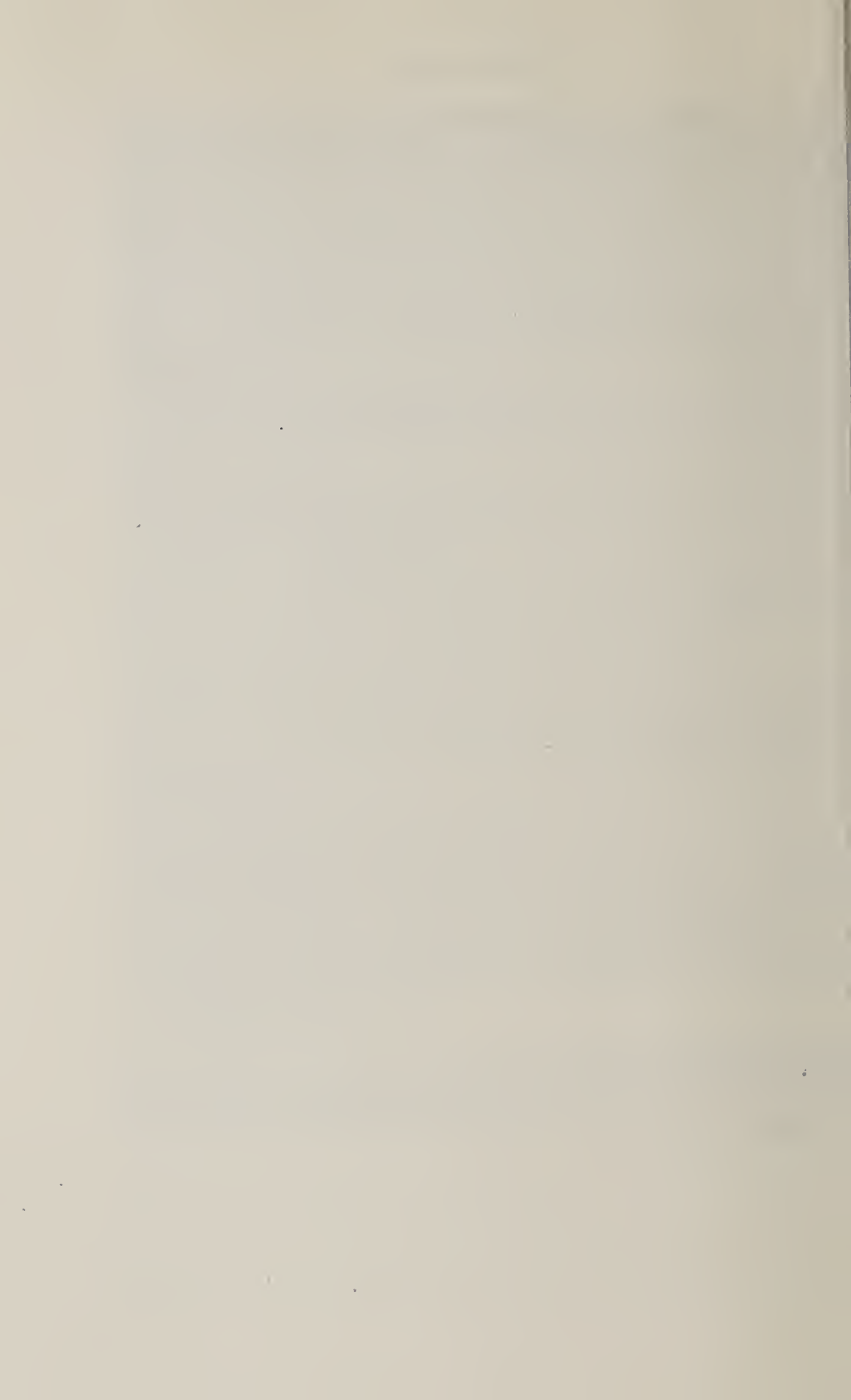
By direction of the Commission.

Sincerely yours,

JAS. M. MEAD, *Chairman.*

N. B. Pursuant to regulations, the Commission contacted the Bureau of the Budget on January 23, 1951, with respect to this report, and was advised orally by the Bureau of the Budget on the same date that there would be no objection to the submission of the report to the committee.

JAS. M. MEAD, *Chairman.*



82D CONGRESS
1ST SESSION

S. 508

[Report No. 78]

IN THE SENATE OF THE UNITED STATES

JANUARY 25, 1951

JANUARY 16 (legislative day, JANUARY 8), 1951

Mr. JOHNSON of Colorado introduced the following bill; which was read twice
and referred to the Committee on Interstate and Foreign Commerce

FEBRUARY 5 (legislative day, JANUARY 29), 1951

Reported by Mr. JOHNSON of Colorado, without amendment

A BILL

To protect consumers and others against misbranding, false
advertising, and false invoicing of fur products and furs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the “Fur Products Labeling
4 Act”.

5 SEC. 2. As used in this Act—

6 (a) The term “person” means an individual, partner-
7 ship, corporation, association, business trust, or any organ-
8 ized group of any of the foregoing.

9 (b) The term “fur” means any animal skin or part
10 thereof with hair, fleece or fur fibers attached thereto, either
11 in its raw or processed state, but shall not include such skins

1 as are to be converted into leather or which in processing
2 shall have the hair, fleece, or fur fiber completely removed.

3 (c) The term "used fur" means fur in any form which
4 has been worn or used by an ultimate consumer.

5 (d) The term "fur product" means any article of wear-
6 ing apparel made in whole or in part of fur or used fur;
7 except that such term shall not include such articles as the
8 Commission shall exempt by reason of the relatively small
9 quantity or value of the fur or used fur contained therein.

10 (e) The term "waste fur" means the ears, throats, or
11 scrap pieces which have been severed from the animal pelt,
12 and shall include mats or plates made therefrom.

13 (f) The term "invoice" means a written account,
14 memorandum, list, or catalog, which is issued in connection
15 with any commercial dealing in fur products or furs, and
16 describes the particulars of any fur products or furs, trans-
17 ported or delivered to a purchaser, consignee, factor, bailee,
18 correspondent, or agent, or any other person who is engaged
19 in dealing commercially in fur products or furs.

20 (g) The term "Commission" means the Federal Trade
21 Commission.

22 (h) The term "Federal Trade Commission Act" means
23 the Act entitled "An Act to create a Federal Trade Com-
24 mission, to define its powers and duties, and for other pur-
25 poses", approved September 26, 1914, as amended.

(i) The term "Fur Products Name Guide" means the register issued by the Commission pursuant to section 7 of this Act.

(j) The term "commerce" means commerce between any State, Territory, or possession of the United States, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession or the District of Columbia.

(k) The term "United States" means the several States, the District of Columbia, and the Territories and possessions of the United States.

MISBRANDING, FALSE ADVERTISING, AND INVOICING
DECLARED UNLAWFUL

SEC. 3. (a) The introduction, or manufacture for introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product which is misbranded or falsely or deceptively advertised or invoiced, within the meaning of this Act or the rules and regulations prescribed under section 8 (b), is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act.

1 (b) The manufacture for sale, sale, advertising, offer-
2 ing for sale, transportation or distribution, of any fur prod-
3 uct which is made in whole or in part of fur which has
4 been shipped and received in commerce, and which is mis-
5 branded or falsely or deceptively advertised or invoiced,
6 within the meaning of this Act or the rules and regulations
7 prescribed under section 8 (b), is unlawful and shall be an
8 unfair method of competition, and an unfair and deceptive
9 act or practice, in commerce under the Federal Trade Com-
10 mission Act.

11 (c) The introduction into commerce, or the sale, ad-
12 vertising or offering for sale in commerce, or the transporta-
13 tion or distribution in commerce, of any fur which is falsely
14 or deceptively advertised or falsely or deceptively invoiced,
15 within the meaning of this Act or the rules and regulations
16 prescribed under section 8 (b), is unlawful and shall be an
17 unfair method of competition, and an unfair and deceptive
18 act or practice, in commerce under the Federal Trade Com-
19 mission Act.

20 (d) Except as provided in subsection (e) of this section,
21 it shall be unlawful to remove or mutilate, or cause or
22 participate in the removal or mutilation of, prior to the time
23 any fur product is sold and delivered to the ultimate con-
24 sumer, any label required by this Act to be affixed to such
25 fur product, and any person violating this subsection is guilty

1 of an unfair method of competition, and an unfair or decep-
2 tive act or practice, in commerce under the Federal Trade
3 Commission Act.

4 (e) Any person introducing, selling, advertising, or
5 offering for sale, in commerce, or processing for commerce,
6 a fur product, may substitute for the label affixed to such
7 product pursuant to section 4 of this Act, a label conform-
8 ing to the requirements of such section, and such label may
9 show in lieu of the name or other identification shown pur-
10 suant to section 4 (2) (E) on the label so removed, the
11 name or other identification of the person making the substi-
12 tution. Any person substituting a label shall keep such rec-
13 ords as will show the information set forth on the label that
14 he removed and the name or names of the person or persons
15 from whom such fur product was received.

16 (f) Subsections (a), (b), and (c) of this section shall
17 not apply to any common carrier, contract carrier or freight
18 forwarder in respect of a fur product or fur shipped, trans-
19 ported, or delivered for shipment in commerce in the ordinary
20 course of business.

21 MISBRANDED FUR PRODUCTS

22 SEC. 4. For the purposes of this Act, a fur product
23 shall be considered to be misbranded—

24 (1) if it is falsely or deceptively labeled or other-
25 wise falsely or deceptively identified, or if the label con-

1 tains any form of misrepresentation or deception, directly
2 or by implication, with respect to such fur product;

3 (2) if there is not affixed to the fur product a label
4 showing in words and figures plainly legible—

5 (A) the name or names (as set forth in the
6 Fur Products Name Guide) of the animal or
7 animals that produced the fur, and such qualifying
8 statement as may be required pursuant to section
9 7 (c) of this Act;

10 (B) that the fur product contains or is com-
11 posed of used fur, when such is the fact;

12 (C) that the fur product contains or is com-
13 posed of bleached, dyed, or otherwise artificially
14 colored fur, when such is the fact;

15 (D) that the fur product is composed in whole
16 or in substantial part of paws, tails, bellies, or waste
17 fur, when such is the fact;

18 (E) the name, or other identification issued
19 and registered by the Commission, of one or more
20 of the persons who manufacture such fur product
21 for introduction into commerce, introduce it into
22 commerce, sell it in commerce, advertise or offer it
23 for sale in commerce, or transport or distribute it
24 in commerce;

(F) the name of the country of origin of any imported furs used in the fur product;

(3) if the label required by paragraph (2) (A) of this section sets forth the name or names of any animal or animals other than the name or names provided for in such paragraph.

FALSE ADVERTISING AND INVOICING OF FUR PRODUCTS
AND FURS

SEC. 5. (a) For the purposes of this Act, a fur product or fur shall be considered to be falsely or deceptively advertised if any advertisement, representation, public announcement, or notice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of such fur product or fur—

(1) does not show the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this Act;

(2) does not show that the fur is used fur or that the fur product contains used fur, when such is the fact;

(3) does not show that the fur product or fur is bleached, dyed, or otherwise artificially colored fur when such is the fact;

1 (4) does not show that the fur product is composed
2 in whole or in substantial part of paws, tails, bellies,
3 or waste fur, when such is the fact;

4 (5) contains the name or names of any animal or
5 animals other than the name or names specified in
6 paragraph (1) of this subsection, or contains any form
7 of misrepresentation or deception directly or by impli-
8 cation, with respect to such fur product or fur;

9 (6) does not show the name of the country of
10 origin of any imported furs or those contained in a fur
11 product.

12 (b) For the purposes of this Act, a fur product or
13 fur shall be considered to be falsely or deceptively invoiced—

14 (1) if such fur product or fur is not invoiced to
15 show—

16 (A) the name or names (as set forth in the
17 Fur Products Name Guide) of the animal or
18 animals that produced the fur, and such qualifying
19 statement as may be required pursuant to section
20 7 (c) of this Act;

21 (B) that the fur product contains or is com-
22 posed of used fur, when such is the fact;

23 (C) that the fur product contains or is com-
24 posed of bleached, dyed, or otherwise artificially
25 colored fur, when such is the fact;

1 (D) that the fur product is composed in whole
2 or in substantial part of paws, tails, bellies, or
3 waste fur, when such is the fact;

4 (E) the name and address of the person
5 issuing such invoice;

6 (F) the name of the country of origin of any
7 imported furs or those contained in a fur product;

8 (2) if such invoice contains the name or names
9 of any animal or animals other than the name or
10 names specified in paragraph (1) (A) of this sub-
11 section, or contains any form of misrepresentation or
12 deception, directly or by implication, with respect to
13 such fur product or fur.

14 EXCLUSION OF MISBRANDED OR FALSELY INVOICED FUR
15 PRODUCTS OR FURS

16 SEC. 6. (a) Fur products imported into the United
17 States shall be labeled so as not to be misbranded within
18 the meaning of section 4 of this Act; and all invoices of
19 fur products and furs required under the Act of June 17,
20 1930 (ch. 497, title IV, 46 Stat. 719), shall set forth, in
21 addition to the matters therein specified, information con-
22 forming with the requirements of section 5 (b) of this Act,
23 which information shall be included in the invoices prior
24 to their certification under said Act of June 17, 1930.

1 (b) The falsification of, or failure to set forth, said
2 information in said invoices, or the falsification or perjury
3 of the consignee's declaration provided for in said Act of
4 June 17, 1930, insofar as it relates to said information, shall
5 be an unfair method of competition, and an unfair and
6 deceptive act or practice, in commerce under the Federal
7 Trade Commission Act; and any person who falsifies, or
8 fails to set forth, said information in said invoices, or who
9 falsifies or perjures said consignee's declaration insofar as
10 it relates to said information, may thenceforth be prohibited
11 by the Commission from importing, or participating in the
12 importation of, any fur products or furs into the United
13 States except upon filing bond with the Secretary of the
14 Treasury in a sum double the value of said fur products and
15 furs, and any duty thereon, conditioned upon compliance
16 with the provisions of this section.

17 (c) A verified statement from the manufacturer, pro-
18 ducer of, or dealer in, imported fur products and furs showing
19 information required under the provisions of this Act may be
20 required under regulations prescribed by the Secretary of the
21 Treasury.

22 NAME GUIDE FOR FUR PRODUCTS

23 SEC. 7. (a) The Commission shall, with the assistance
24 and cooperation of the Department of Agriculture and the

1 Department of the Interior, within six months after the
2 date of the enactment of this Act, issue, after holding
3 public hearings, a register setting forth the names of
4 hair, fleece, and fur-bearing animals, which shall be
5 known as the Fur Products Name Guide. The names
6 used shall be the true English names for the animals in
7 question, or in the absence of a true English name for an
8 animal, the name by which such animal can be properly
9 identified in the United States.

10 (b) The Commission may, from time to time, with the
11 assistance and cooperation of the Department of Agriculture
12 and Department of the Interior, after holding public hearings,
13 add to or delete from such register the name of any hair,
14 fleece, or fur-bearing animal.

15 (c) If the name of an animal (as set forth in the Fur
16 Products Name Guide) connotes a geographical origin or
17 significance other than the true country or place of origin
18 of such animal, the Commission may require whenever such
19 name is used in setting forth the information required by
20 this Act, such qualifying statement as it may deem necessary
21 to prevent confusion or deception.

22 ENFORCEMENT OF THE ACT

23 SEC. 8. (a) (1) Except as otherwise specifically pro-
24 vided in this Act, sections 3, 6, and 10 (b) of this Act shall

1 be enforced by the Federal Trade Commission under rules,
2 regulations, and procedure provided for in the Federal
3 Trade Commission Act.

4 (2) The Commission is authorized and directed to pre-
5 vent any person from violating the provisions of sections 3,
6 6, and 10 (b) of this Act in the same manner, by the same
7 means, and with the same jurisdiction, powers, and duties
8 as though all applicable terms and provisions of the Federal
9 Trade Commission Act were incorporated into and made
10 a part of this Act; and any such person violating any pro-
11 vision of section 3, 6, or 10 (b) of this Act shall be sub-
12 ject to the penalties and entitled to the privileges and immu-
13 nities provided in said Federal Trade Commission Act as
14 though the applicable terms and provisions of the said Fed-
15 eral Trade Commission Act were incorporated into and
16 made a part of this Act.

17 (b) The Commission is authorized and directed to
18 prescribe rules and regulations governing the manner and
19 form of disclosing information required by this Act, and such
20 further rules and regulations as may be necessary and proper
21 for purposes of administration and enforcement of this Act.

22 (c) The Commission is authorized (1) to cause inspec-
23 tions, analyses, tests, and examinations to be made of any
24 fur product or fur subject to this Act; and (2) to cooperate,
25 on matters related to the purposes of this Act, with any

1 department or agency of the Government; with any State,
2 Territory, or possession, or with the District of Columbia;
3 or with any department, agency, or political subdivision
4 thereof; or with any person.

5 (d) (1) Every manufacturer or dealer in fur products
6 or furs shall maintain proper records showing the informa-
7 tion required by this Act with respect to all fur products or
8 furs handled by him, and shall preserve such records for
9 at least three years.

10 (2) The neglect or refusal to maintain and preserve
11 such records is unlawful, and any such manufacturer or
12 dealer who neglects or refuses to maintain and preserve
13 such records shall forfeit to the United States the sum of
14 \$100 for each day of such failure which shall accrue to the
15 United States and be recoverable by a civil action.

16 CONDEMNATION AND INJUNCTION PROCEEDINGS

17 SEC. 9. (a) (1) Any fur product or fur shall be liable
18 to be proceeded against in the district court of the United
19 States for the district in which found, and to be seized for
20 confiscation by process of libel for condemnation, if the Com-
21 mission has reasonable cause to believe such fur product or
22 fur is being manufactured or held for shipment, or shipped,
23 or held for sale or exchange after shipment, in commerce,
24 in violation of the provisions of this Act, and if after notice
25 from the Commission the provisions of this Act with respect

1 to such fur product or fur are not shown to be complied with.
2 Proceedings in such libel cases shall conform as nearly as
3 may be to suits in rem in admiralty, and may be brought
4 by the Commission.

5 (2) If such fur products or furs are condemned by the
6 court, they shall be disposed of, in the discretion of the court,
7 by destruction, by sale, by delivery to the owner or claimant
8 thereof upon payment of legal costs and charges and upon
9 execution of good and sufficient bond to the effect that such
10 fur or fur products will not be disposed of until properly
11 marked, advertised, and invoiced as required under the pro-
12 visions of this Act; or by such charitable disposition as the
13 court may deem proper. If such fur or fur products are dis-
14 posed of by sale, the proceeds, less legal costs and charges,
15 shall be paid into the Treasury of the United States as mis-
16 cellaneous receipts.

17 (b) Whenever the Commission has reason to believe
18 that—

19 (1) any person is violating, or is about to violate,
20 section 3, 6, or 10 (b) of this Act; and

21 (2) it would be to the public interest to enjoin
22 such violation until complaint is issued by the Com-
23 mission under the Federal Trade Commission Act and
24 such complaint dismissed by the Commission or set aside
25 by the court on review, or until order to cease and

desist made thereon by the Commission has become final within the meaning of the Federal Trade Commission Act,

the Commission may bring suit in the district court of the United States or in the United States court of any Territory, for the district or Territory in which such person resides or transacts business, to enjoin such violation, and upon proper showing a temporary injunction or restraining order shall be granted without bond.

GUARANTY

SEC. 10. (a) No person shall be guilty under section 3 if he establishes a guaranty received in good faith signed by and containing the name and address of the person residing in the United States by whom the fur product or fur guaranteed was manufactured or from whom it was received, that said fur product is not misbranded or that said fur product or fur is not falsely advertised or invoiced under the provisions of this Act. Such guaranty shall be either (1) a separate guaranty specifically designating the fur product or fur guaranteed, in which case it may be on the invoice or other paper relating to such fur product or fur; or (2) a continuing guaranty filed with the Commission applicable to any fur product or fur handled by a guarantor, in such form as the Commission by rules and regulations may prescribe.

(b) It shall be unlawful for any person to furnish, with respect to any fur product or fur, a false guaranty (except a person relying upon a guaranty to the same effect received in good faith signed by and containing the name and address of the person residing in the United States by whom the fur product or fur guaranteed was manufactured or from whom it was received) with reason to believe the fur product or fur falsely guaranteed may be introduced, sold, transported, or distributed in commerce, and any person who violates the provisions of this subsection is guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce within the meaning of the Federal Trade Commission Act.

CRIMINAL PENALTY

SEC. 11. (a) Any person who willfully violates section
3, 6, or 10 (b) of this Act shall be guilty of a misdemeanor
and upon conviction shall be fined not more than \$5,000,
or be imprisoned not more than one year, or both, in the
discretion of the court.

(b) Whenever the Commission has reason to believe any person is guilty of a misdemeanor under this section, it shall certify all pertinent facts to the Attorney General, whose duty it shall be to cause appropriate proceedings to be brought for the enforcement of the provisions of this section against such person.

1 APPLICATION OF EXISTING LAWS

2 SEC. 12. The provisions of this Act shall be held to
3 be in addition to, and not in substitution for or limitation
4 of, the provisions of any other Act of Congress.

5 SEPARABILITY OF PROVISIONS

6 SEC. 13. If any provision of this Act or the applica-
7 tion thereof to any person or circumstance is held invalid,
8 the remainder of the Act and the application of such pro-
9 vision to any other person or circumstance shall not be
10 affected thereby.

11 EFFECTIVE DATE

12 SEC. 14. This Act, except section 7, shall take effect
13 one year after the date of its enactment.

82^d CONGRESS
1ST SESSION

S. 508

[Report No. 78]

A BILL

To protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs.

By Mr. JOHNSON of Colorado

JANUARY 16 (legislative day, JANUARY 8), 1951

Read twice and referred to the Committee on
Interstate and Foreign Commerce

FEBRUARY 5 (legislative day, JANUARY 29), 1951

Reported without amendment

S. 508

IN THE SENATE OF THE UNITED STATES

FEBRUARY 22 (legislative day, JANUARY 29), 1951

Ordered to lie on the table and to be printed

AMENDMENTS

Intended to be proposed by Mr. LODGE (by request) to the bill (S. 508) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs, viz:

1 On page 5, line 6, immediately following the comma
2 insert the following: "or any person selling, advertising,
3 offering for sale or processing a fur product otherwise than
4 in or for commerce, but which has theretofore been shipped
5 and received in commerce,".

6 On page 7, between lines 6 and 7, insert the following
7 new sentence: "Notwithstanding paragraph (3) of this sec-
8 tion, a fur product which is processed to simulate another fur
9 shall not be considered to be misbranded if the label re-
10 quired by paragraph (2) (A) of this section sets forth the
11 name or names of the animal or animals that produced the

1 fur, as provided in such paragraph (2) (A), followed by
2 appropriate language indicating that such fur product has
3 been processed to resemble or simulate the fur of another
4 animal.”

5 On page 8, between lines 11 and 12, insert the following
6 new sentence: “Notwithstanding paragraph (5) of this
7 subsection, a fur product or fur which is processed to simulate
8 another fur shall not be considered to be falsely or deceptively
9 advertised if any advertisement, representation, public an-
10 nouncement, or notice which is intended to aid, promote, or
11 assist directly or indirectly in the sale or offering for sale of
12 such fur product or fur contains the name or names of the
13 animal or animals that produced the fur, as required by
14 paragraph (1) of this subsection, followed by appropriate
15 language indicating that such fur product or fur has been
16 processed to resemble or simulate the fur of another animal.”

82d CONGRESS
1st Session

S. 508

AMENDMENTS

Intended to be proposed by Mr. Lodge to the bill (S. 508) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs.

FEBRUARY 22 (legislative day, JANUARY 29), 1951

Ordered to lie on the table and to be printed

stabilization of these costs. Also heard the testimony of Peter Marchetti, representing the Small Property Owners Association of Omaha, Nebr., who favored termination of the Federal rent-control law. Recessed until Monday morning.

D. C. CIVIL DEFENSE

Committee on the District of Columbia: Teague Subcommittee on Civil Defense heard District Civil Defense Director John E. Fondahl today, who testified regarding the failure of citizens to respond to the need for civil-defense volunteers. This meeting was attended by chief deputies of Director Fondahl's office and all testified regarding the apathetic attitude of the general public toward the defense program. The testimony also indicated a lack of money needed to carry out the proposed purchasing of medical supplies and other equipment.

WAGE STABILIZATION

Committee on Education and Labor: Lucas subcommittee resumed its hearings in connection with the study of the operations and functions of the Wage Stabilization Board, receiving further testimony from Reuben B. Robertson, Jr., president of the Champion Paper & Fiber Co., Hamilton, Ohio, and industry member of the Wage Stabilization Board. Upon completion of Mr. Robertson's statement, the subcommittee then heard Elmer E. Walker, labor member of the Wage Stabilization Board. Others to be heard were the following public members of the Wage Stabilization

Board—Clark Kerr, Vice Chairman, Nathan P. Feinsinger, and William M. Hepburn. Adjourned until Monday morning.

FUR LABELING

Committee on Interstate and Foreign Commerce: Ordered reported favorably to the House, amended, H. R. 2321, to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs.

STEAM VESSELS

Committee on Merchant Marine and Fisheries: Hart Subcommittee on Maritime Affairs continued its hearings on bills (H. R. 2316, 2317, 3646, 3657) dealing with laws relating to steam vessels. Paul E. Savonis, Merchant Vessel Inspection, U. S. Coast Guard, testified for his third straight day on this legislation. Other witnesses to be heard were Ralph G. Grautvetter, secretary-treasurer, Marine Engineers' Beneficial Association No. 30, Pittsburgh, Pa.; Sheldon G. Bryan, chief engineer of the National Marine Engineers' Beneficial Association; John M. Bishop, vice president, national organization of the Masters, Mates, and Pilots of America; and Albert D. Elledge, president, Harbor Tug & Barge Co., San Francisco, Calif. Recessed until Tuesday morning, June 12.

REVENUE REVISION

Committee on Ways and Means: Continued executive deliberation of the 1951 tax bill. Made no announcement and adjourned over till Monday morning.

CONGRESSIONAL PROGRAM AHEAD

(Week of June 11-16)

Senate will continue next week on H. R. 3709, Labor-FSA appropriations, to be followed by H. R. 3880, independent offices appropriations.

Senate Committees

Committee on Appropriations: June 11, Subcommittee on Armed Services, 10 a. m., 318 Senate Office Building; Subcommittee on State, Justice, Commerce, executive, 2 p. m., room F-82, Capitol; June 12, full committee, executive, on H. R. 3880, independent offices; June 14, Subcommittee on D. C. Appropriations, on D. C. appropriations.

Committees on Armed Services and Foreign Relations: June 11-16, executive, on Far East situation, 10 a. m., 212 Senate Office Building.

Committee on Banking and Currency: June 12-15, executive, to mark up S. 1397, amend Defense Production Act.

Committee on the District of Columbia: June 11 and 12, Judiciary Subcommittee, on D. C. rent control, 2:30 p. m., room P-38, Capitol.

Committee on Expenditures in the Executive Departments: June 11-15, on amendments to Legislative Reorganization Act of 1946, 10 a. m., 357 Senate Office Building.

Committee on Interstate and Foreign Commerce: June 13, executive, on calendar; June 14, Subcommittee on Strategic Materials, on flow of critical materials from western Germany to Soviet bloc.

Committee on the Judiciary: June 11, executive, on calendar, 10:30 a. m., 424 Senate Office Building; June 13, subcommittee, on H. R. 794, private bill; June 14, subcommittee, on S. 974, bribery and graft; June 15, full committee, on S. 1203, omnibus judgeship bill.

Committee on Post Office and Civil Service: June 12, on postal rate bills, executive; June 14, executive, on pay increase bills.

House Chamber

(Week of June 11-16)

Monday, the House will act on H. R. 1179, authorizing construction of certain aeronautical research facilities for the National Advisory Committee for Aeronautics.

Tuesday, the House will consider the Department of the Army civil functions appropriation bill for the fiscal year 1952.

The program for the balance of the week is undetermined.

NOTE.—Conference reports may be brought up at any time.

House Committees

Committee on Armed Services: June 12, full committee to consider reports of bills from subcommittees.

Committee on Banking and Currency: June 11, until completed, executive consideration of H. R. 3871, to revise and extend the Defense Production Act of 1950, 10 a. m., 1301 New House Office Building.

Committee on Education and Labor: June 11-15, Lucas subcommittee, on wage stabilization program, 10 a. m., 429 Old House Office Building.

Committee on Expenditures in the Executive Departments: June 11 and 12, Lanham Subcommittee on Federal Relations With International Organizations, on H. R. 3697, to create a commission to make a study of the administration of overseas activities of the Government, and to make recommendations to Congress, 10 a. m., 1501 New House Office Building.

June 13, Hardy Subcommittee on Government Operations in executive meeting regarding certificates of necessity and direct loans granted under the Defense Production Act of 1950. Defense Mobilizer Charles E. Wilson, National Production Administrator Manly Fleischmann, and Edwin T. Gibson, Deputy Administrator for Staff Service, DPA, are scheduled to meet with the subcommittee.

Committee on Interior and Insular Affairs: June 11, Regan Subcommittee on Mines and Mining to continue round-table discussion on the subject of manganese in the defense minerals production program, 10 a. m., 1324 New House Office Building.

June 12, full committee to consider reports of bills from subcommittees.

Committee on Interstate and Foreign Commerce: June 11 and 12, on H. J. Res. 206, consenting to an extension and renewal of an interstate compact to conserve oil and gas, 10 a. m., 1334 New House Office Building.

June 13, executive session (10 a. m.), to hear Oscar R. Ewing, Federal Security Administrator, together with Charles Crawford, Commissioner, Food and Drug Administration, with respect to H. R. 3298, to amend the Federal Food, Drug, and

Cosmetic Act, dealing with the refilling of prescriptions for drugs.

Special Subcommittee on Newsprint, to continue public hearings (2 p. m.) pursuant to H. Res. 116, newsprint investigation, particularly with respect to availability of sulfur.

Committee on the Judiciary: June 11 and 12, Celler Subcommittee on the Study of Monopoly Power, on mobilization program, 10 a. m., 346 Old House Office Building.

June 13, Bryson Subcommittee No. 3, on H. R. 3760, revises, codifies, and enacts into positive law title 35 of the U. S. Code, relating to patents.

Byrne Subcommittee No. 2, on private bills.

June 14, regular executive meeting of the full committee.

Committee on Merchant Marine and Fisheries: June 12, Hart Subcommittee on Maritime Affairs, to continue on bills (H. R. 2316, 2317, 3646, and 3657) dealing with laws relating to steam vessels.

Committee on Veterans' Affairs: June 13, full committee in executive meeting to discuss pending bills.

Committee on Ways and Means: June 11, until completed, executive, marking up of the 1951 tax bill, 10 a. m., 1102 New House Office Building.

Select Committee To Investigate the Use of Chemicals in Food Products: June 12 and 14, Delaney Committee to hear testimony from departmental witnesses.

COMMITTEE MEETINGS FOR SATURDAY, JUNE 9

(All meetings are open unless otherwise designated)

Senate

Committees on Armed Services and Foreign Relations, executive, on Far East situation, with Secretary of State Acheson, 10 a. m., 212 Senate Office Building.

House

No committees scheduled.

FUR LABELING

JUNE 11, 1951.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. O'HARA, from the Committee on Interstate and Foreign Commerce, submitted the following

R E P O R T

[To accompany H. R. 2321]

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H. R. 2321) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Page 5, line 17, strike out "or" and insert after the words "contract carrier" the following: "or freight forwarder".

Page 7, line 4, after "paragraph" strike out the comma and all that follows down through the word "processed" in line 6.

Page 8, line 6, strike out beginning with the word "unless" down through the comma in line 8.

Page 9, line 9, strike out beginning with the word "unless" down through the comma in line 11.

This proposed legislation has the approval of the Federal Trade Commission and the Department of Agriculture, as will appear from letters dated February 16, 1951, and April 12, 1951, respectively. These communications are printed below in this report.

GENERAL STATEMENT

The bill is designed to protect consumers and others from widespread abuses arising out of the frequent practice in the fur trade of using, in advertisements and otherwise, in a false or misleading manner, foreign animal names and glamorous, fictitious designations for furs and fur products.

The bill is generally modeled after the Wool Products Labeling Act of 1939 and requires mandatory invoicing of furs and labeling

of fur products moving in interstate or foreign commerce to show the name of the animal that produced the fur as set forth in the fur products name guide; the fact that the garment contains used fur if such is the case; the fact that the fur is dyed or bleached if such is the case; and the fact that the fur product is composed of paws, tails, bellies, or waste fur if such is the case. The bill further provides that furriers who manufacture fur products from furs received in interstate commerce shall be subject to the provisions of the act.

It further requires that when furs or fur products are advertised in such commerce, or after having been shipped and received in such commerce, these vital facts be truthfully stated in the advertising.

The bill makes it unlawful and declares it an unfair and deceptive act and practice within the meaning of the Federal Trade Commission Act to market in interstate or foreign commerce either furs or fur products which are not respectively invoiced and labeled to show the true name of the animal, and other factual information affecting the value of both furs and fur products.

The legislation is to be administered by the Federal Trade Commission and its enforcement provisions closely follow those provided for in the Wool Products Act of 1939, which is administered by that agency. The bill further provides that the Federal Trade Commission shall set up a register of names known as Fur Products Name Guide which is to be used by the trade in complying with the provisions requiring the showing of the name of the animal whose fur is used.

In addition to the corrective action provided for by means of Federal Trade Commission cease-and-desist-order procedure, the bill also provides criminal penalties for willful violation of certain of its provisions.

The fur trade is a large and growing segment of American business. Latest available figures indicate that the American public is buying the output of this industry at the rate of \$500,000,000 a year.

While furs are natural products, they are peculiarly susceptible to dyeing and other manipulations and processing which tend to change their appearance. Such manipulations are commonly undertaken for the purpose of simulating more expensive furs in appearance. This practice makes it easily possible for the purchasing public to be misled and deceived. This legislation will go far toward protecting consumers.

Incidentally, this legislation affords protection to our domestic infant fur-farming industry. This industry breeds such high-grade fur animals as, for example, mink and silver fox. The use of the names of these animals, in a deceptive and misleading manner, in connection with cheap furs constitutes a method of competition which unduly burdens this industry. The legislation would make it unlawful to use the name of any animal other than the true name of the animal that produced the fur. While truthful and nondeceptive information and statements that are not required by the law to be placed on the label or in advertisements and invoices may be set forth in addition to the required information, the Commission, in order to prevent confusion and deception may issue regulations, pursuant to section 8 (b), governing the manner and form in which such nonrequired information and statements may appear. Thus, the use of such designation as, for example, "mink blended cone," which is rabbit fur processed to resemble mink, would constitute an unfair practice.

The Federal Trade Commission, in its work under the Federal Trade Commission Act, through its trade practice conference procedure, has endeavored to correct some of these practices. Many cases, have come before the Commission where correction has been obtained either through formal action or voluntary stipulation. However, these practices are so widespread and are of such a nature that specific legislation on the matter, such as is embodied in the bill, is considered necessary.

With respect to furs, the information required by this legislation is to be passed on by the means of invoices. In respect to fur products, labeling is required which begins with the manufacturer of the fur product. Removal of the required label is forbidden until the article reaches the ultimate consumer. However, a wholesaler or retailer who sells, advertises, or offers for sale in commerce, or processes for commerce, a fur product, may substitute his own label for that of the manufacturer.

LEGISLATIVE HISTORY DURING EIGHTIETH AND EIGHTY-FIRST CONGRESSES

A fur-labeling bill was introduced by Mr. O'Hara in the Eightieth Congress (H. R. 3734). Hearings were held on this bill by your committee on April 6 and 7, 1948. The bill was reported favorably with amendments (H. Rept. No. 2004, 80th Cong.).

During the Eighty-first Congress, new fur-labeling bills were introduced by Mr. O'Hara and Mr. Sadowski (H. R. 97 and H. R. 3755, respectively). Hearings were held on these two bills by your committee on May 11, 12, and 13, 1949. As a result of these hearings, a clean bill (H. R. 5187) was introduced by Mr. O'Hara, which was reported favorably by your committee (H. Rept. No. 919, 81st Cong.). H. R. 5187 passed the House on July 14, 1949. Hearings were held in the Senate on H. R. 5187, and it was reported favorably by the Senate Committee on Interstate and Foreign Commerce (S. Rept. 3278, 81st Cong.).

COMMITTEE AMENDMENTS

The bill here being reported to the House (H. R. 2321), as introduced, is substantially identical with the bill (H. R. 5187, 81st Cong.) passed by the House during the Eighty-first Congress.

The purpose of the amendments on pages 5, 7, and 8 is to remove from the bill provisions which would have permitted the use, in the labeling, advertising, or invoicing of a fur or fur product, of the name of any animal or animals other than the animal or animals from which the fur or fur product was produced, if such name was preceded by the words "Processed to simulate". As a result of these amendments, the bill will require that the labeling, advertising, or invoicing show only the name or names of the animal or animals from which the fur or fur product was produced. The committee feels that the objective of this bill of promoting truthful advertising, invoicing, and labeling of furs and fur products will be substantially furthered by these amendments.

The amendment on page 5 is merely to make it entirely clear that freight forwarders will get the benefit of the exemption granted to carriers.

SECTION BY SECTION EXPLANATION OF THE BILL AS AMENDED

Section 1 provides for a short title of the act which is "Fur Products Labeling Act."

Section 2 of the act contains definitions of terms used, including "commerce," "fur," "used fur," "waste fur," "fur products," and "invoice."

Section 3 declares that the marketing in commerce of any fur product that is misbranded or falsely or deceptively advertised and invoiced, shall be unlawful. In addition, the marketing in commerce of any furs that are falsely advertised or invoiced, shall be unlawful. Finally, the bill makes unlawful the marketing in commerce of any fur product that is misbranded or falsely or deceptively advertised or invoiced if such fur product has been made in whole or in part of fur which has been shipped and received in commerce. The mutilation of any label attached to a fur product is made unlawful but the section permits any person marketing fur products, in commerce, to attach a substitute label conforming to the requirements of the act and on such label he may set forth his own name in lieu of the name of the manufacturer. A person substituting a label is required to keep such records as will show the information set forth on the label that he removed and the name of the person from whom such fur product was received. This section exempts carriers, including freight forwarders, from operation of the act.

Section 4 provides that a fur product shall be misbranded if it is falsely or deceptively labeled or if a label is not affixed that does not show:

(1) The name of the animal producing the fur; (2) the name or identity of the manufacturer, shipper, or seller; and (3) the fact that a fur product contains used fur, that the fur is bleached or dyed, or that the fur product is made of waste fur or less valuable parts of the pelt, if any of these are the case. The section also provides that the name of no other animal except the animal that produced the fur shall appear on the label.

Section 5 provides that a fur product or fur shall be falsely advertised if it does not reveal the true English name of the animal producing the fur; and the fact, if such is the case, that it contains used fur, or that the fur is bleached or dyed, or that the fur product is made of waste fur or less valuable parts of the pelt. It also provides that the name of no other animal except that which produced the fur shall appear on the label. This section also makes unlawful the false invoicing of a fur product or fur, and provides that failure to furnish an invoice setting forth the information required by the act shall be considered false invoicing. It further provides that the name of no other animal shall appear on the invoice except the name of the animal that produced the fur.

Section 6 of the act has to do with imported fur products and furs, and provides for their exclusion under certain circumstances. This section also provides that the Secretary of the Treasury may require additional information under regulations prescribed by him.

Section 7 provides for the establishment of a fur products name guide which is to be issued within 6 months after the date of enactment of the act, and provides for the cooperation of the Departments of Agriculture and Interior in preparing such guide. Provision is

also made for amendment of the guide from time to time. Section 7 further provides that if the name of the animal set forth in the fur-products name guide connotes a geographical origin or significance other than the true country of origin of such animal, the Commission may require that such name be accompanied by a qualifying statement which will eliminate any confusion or deception as to the true country of origin of such animal. Where no true English name exists for an animal, the fur-products name guide is to set forth the name of the animal by which it can be properly identified in the United States.

Section 8 of the act provides that the Federal Trade Commission is to be the enforcing agency and shall provide the necessary rules and regulations. Provision is also made for inspections and tests, and that every manufacturer or dealer in fur products and furs shall maintain records.

Section 9 of the act provides for condemnation and injunction proceedings where the ordinary remedies would not be sufficient.

Section 10 provides for guaranties which may be either separate or continuing. These guaranties when relied upon in good faith would protect a person against charges under section 3 of the act.

Section 11 provides for certain criminal penalties when a willful violation occurs. Facts in such case are to be certified to the Attorney General for prosecution.

Sections 12, 13, and 14 contain provisions relating to application of existing laws, the effective date of the act (which is 1 year after enactment), and the separability clause.

FEBRUARY 16, 1951.

HON. ROBERT CROSSER,

*Chairman, Committee on Interstate and Foreign Commerce,
United States House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: In response to your letter of February 5, 1951, enclosing a copy of H. R. 2321, Eighty-second Congress, first session, entitled "A bill to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs," introduced on February 2, 1951, by Congressman Joseph P. O'Hara of Minnesota, and requesting any comments the Commission may care to offer concerning the proposed legislation, the following is submitted for the information of the committee.

The bill is generally modeled after the Wool Products Labeling Act of 1939. Its general objective is to protect consumers and scrupulous merchants against deception and unfair competition resulting from the misbranding, false or deceptive advertising, or false invoicing of fur products and furs, and to protect domestic fur producers against unfair competition.

The proposed legislation requires mandatory labeling of fur articles of wearing apparel and invoicing of furs moving in interstate or foreign commerce to show the name (as set forth in the Fur Products Name Guide) of the animal that produced the fur, and when such is the case the fact that the garment contained used fur or that the furs are bleached or dyed or that the fur product is composed of inferior pieces such as paws, tails, bellies, or waste fur. It further requires that when fur products or furs are advertised in commerce that such important facts also be truthfully disclosed. Animal names other than the true name of the animal from which the fur was taken are prohibited from use on required labels, advertising, and invoicing "unless such name or names are preceded by the words 'processed to simulate' and the fur product has been so processed." (It is understood that the Commission under power granted in section 8 (b) of the act to prescribe rules and regulations governing the manner and form of disclosing information required by this act would have authority to control possible abuses which might arise under the above qualifying provision and thus afford necessary consumer protection.) The proposed legislation makes subject to its provisions not only those marketing fur products in interstate commerce, but those marketing fur products made in whole or in part of fur which has been shipped and received in commerce. The use of substitute labels is also provided for by those subject to the affirmative requirements of the bill.

In addition, the bill provides for the establishment and maintenance by the Federal Trade Commission, with the assistance and cooperation of the Departments of Agriculture and Interior, of a Fur Products Name Guide setting forth the true English names, or other appropriate animal names, to be used in labeling, invoicing, and advertising the respective furs from various animals. In connection with the name of an animal (as set forth in the Fur Products Name Guide) which connotes a geographical origin or significance other than the true country or place of origin of such animal, the proposed legislation provides that the Commission may require in connection therewith such qualifying statement as is necessary to prevent confusion or deception. (This provision is considered most necessary inasmuch as the proposed legislation in its present form contains no "country of origin" requirements.) The bill further provides for administration by the Federal Trade Commission in accordance with administrative procedure long operative in Commission work under comparable statutes; namely, the Federal Trade Commission Act and the Wool Products Labeling Act. It also provides for temporary injunctive relief as well as for actions in rem for seizure of misbranded fur products and furs which are in violation of the act. Separate or continuing guaranties are provided for where desired, for the protection of subsequent resellers. The use of false guaranties is declared unlawful. Together with the provisions for administrative enforcement by the Commission, the bill also provides for misdemeanor proceedings in district courts on behalf of the United States against willful violators of its provisions. The administrative enforcement provisions incorporated in the bill are of the type customarily found advisable and appropriate in legislation of this character and experience has proven such procedure most effective and of the type least burdensome.

Need for the proposed legislation is predicated upon the ever-increasing number of foreign names and fictitious designations used in advertising and in describing fur products and furs, which designations often appear quite confusing and misleading to potential purchasers as to the kind and quality of fur being offered for sale.

The proposed legislation would not only protect the consumer against such inroads of deception and false and misleading advertising but would also afford protection to our domestic infant fur-farming industry that it may be shielded from unscrupulous competition arising out of the use of false and glamorized designations for cheap imported furs.

While furs are natural products, they are peculiarly susceptible to dyeing and other manipulation and processing which tend to change their appearance. Such manipulations are commonly undertaken for the purpose of simulating more expensive furs in appearance. This practice makes it easily possible for the purchasing public to be misled and deceived, and the bill under consideration will go far toward protecting the unsuspecting consumers and dealers.

The bill goes considerably further in providing public protection in connection with the fur industry than appears possible under existing law and the Commission's Trade Practice Rules for the Fur Industry, two copies of which are enclosed herewith. While the operation of the Trade Practice Rules has afforded the public and business a material measure of protection, the bill would make it possible to effect even a wider and more thorough and complete protection. Thus, it is believed that the objectives of the bill would provide a valuable supplement to existing authority.

In view of the circumstances and prevailing conditions in the fur industry, it is believed that legislation of the type provided by the bill under consideration would be beneficial and in the public interest.

The administration of the proposed statute lends itself to be readily integrated with the Commission's duties under the Wool Products Labeling Act. With such in mind, its administration and enforcement would be considerably more economical than otherwise possible. Under such condition it is estimated that the cost of administering the act on a fiscal-year basis would approximate \$75,000.

The Commission wishes to advise that members of its staff who are fully acquainted with the provisions of the bill will be available for any services they may be able to render the committee.

By direction of the Commission.

Sincerely yours,

JAS. M. MEAD, *Chairman.*

N. B.—Pursuant to regulations, this report was submitted to the Bureau of the Budget on February 16, 1951, and on February 20, 1951, the Commission was advised that there would be no objection to the submission of the report to the committee.

W. A. AYRES, *Acting Chairman.*

DEPARTMENT OF AGRICULTURE,
Washington, D. C., April 12, 1951.

HON. ROBERT CROSSER,
*Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives.*

DEAR MR. CROSSER: This is in reply to your request of February 5, 1951, for a report on H. R. 2321, a bill to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs.

The general intent of this bill is to guarantee the ultimate consumer and the handlers of furs and fur articles the kind of merchandise for which they pay. The stipulations are believed to be reasonable and generally workable. Under section 7 of the bill, the Department of Agriculture and the Department of the Interior are to assist and to cooperate with the Federal Trade Commission in preparing and keeping current the Fur Products Name Guide.

This bill is identical with H. R. 5187, Eighty-first Congress, which was passed by the House and on which the Department made a favorable report. The Department has also made favorable reports on similar bills, H. R. 2099 and S. 508, Eighty-second Congress, and has recommended amendments to section 7 of H. R. 538 which would provide for appropriate identification of animals that have names connoting a place of origin other than the true origin, in order to prevent confusion and deception.

There would be no additional cost to this Department if the bill should be enacted. Our present force is sufficient to assist the Federal Trade Commission.

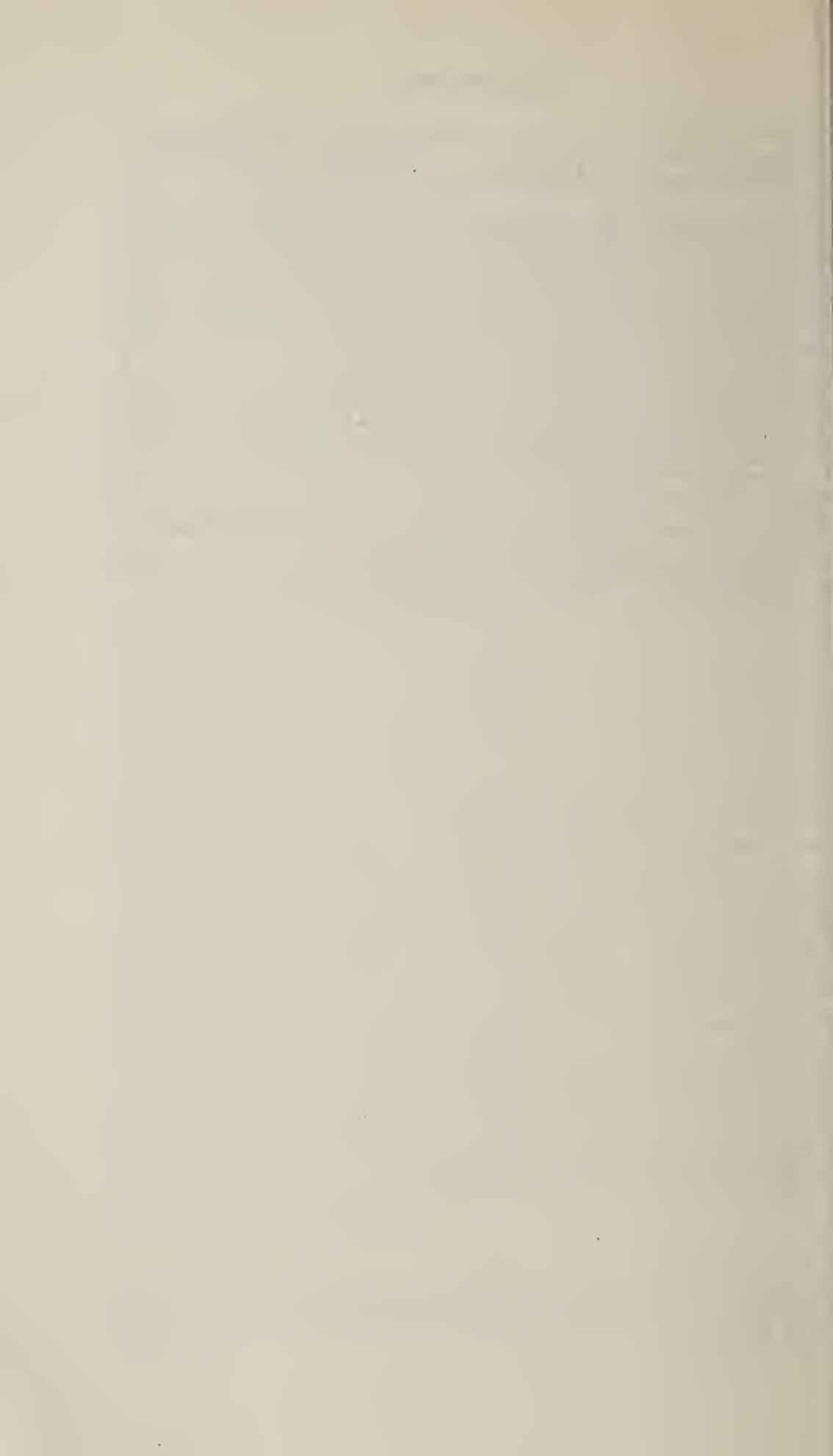
The Department recommends that the bill be passed.

The Bureau of the Budget advises that from the standpoint of the program of the President there is no objection to the submission of this report.

Sincerely yours,

CHARLES F. BRANNAN, *Secretary.*





H. R. 2321

[Report No. 546]

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 1951

Mr. O'HARA introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce

JUNE 11, 1951

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Fur Products Labeling
4 Act".

5 SEC. 2. As used in this Act—

6 (a) The term "person" means an individual, partner-
7 ship, corporation, association, business trust, or any organ-
8 ized group of any of the foregoing.

9 (b) The term "fur" means any animal skin or part
10 thereof with hair, fleece or fur fibers attached thereto, either
11 in its raw or processed state, but shall not include such skins

1 as are to be converted into leather or which in processing
2 shall have the hair, fleece, or fur fiber completely removed.

3 (c) The term "used fur" means fur in any form which
4 has been worn or used by an ultimate consumer.

5 (d) The term "fur product" means any article of wear-
6 ing apparel made in whole or in part of fur or used fur;
7 except that such term shall not include such articles as the
8 Commission shall exempt by reason of the relatively small
9 quantity or value of the fur or used fur contained therein.

10 (e) The term "waste fur" means the ears, throats, or
11 scrap pieces which have been severed from the animal pelt,
12 and shall include mats or plates made therefrom.

13 (f) The term "invoice" means a written account,
14 memorandum, list, or catalog, which is issued in connection
15 with any commercial dealing in fur products or furs, and
16 describes the particulars of any fur products or furs, trans-
17 ported or delivered to a purchaser, consignee, factor, bailee,
18 correspondent, or agent, or any other person who is engaged
19 in dealing commercially in fur products or furs.

20 (g) The term "Commission" means the Federal Trade
21 Commission.

22 (h) The term "Federal Trade Commission Act" means
23 the Act entitled "An Act to create a Federal Trade Com-
24 mission, to define its powers and duties, and for other pur-
25 poses", approved September 26, 1914, as amended.

1 (i) The term "Fur Products Name Guide" means the
2 register issued by the Commission pursuant to section 7 of
3 this Act.

4 (j) The term "commerce" means commerce between
5 any State, Territory, or possession of the United States, or
6 the District of Columbia, and any place outside thereof; or
7 between points within the same State, Territory, or posses-
8 sion, or the District of Columbia, but through any place
9 outside thereof; or within any Territory or possession or
10 the District of Columbia.

11 (k) The term "United States" means the several
12 States, the District of Columbia, and the Territories and
13 possessions of the United States.

14 MISBRANDING, FALSE ADVERTISING, AND INVOICING

15 DECLARED UNLAWFUL

16 SEC. 3. (a) The introduction, or manufacture for in-
17 troduction, into commerce, or the sale, advertising or offering
18 for sale in commerce, or the transportation or distribution
19 in commerce, of any fur product which is misbranded or
20 falsely or deceptively advertised or invoiced, within the
21 meaning of this Act or the rules and regulations prescribed
22 under section 8 (b), is unlawful and shall be an unfair
23 method of competition, and an unfair and deceptive act or
24 practice, in commerce under the Federal Trade Commission
25 Act.

1 (b) The manufacture for sale, sale, advertising, offer-
2 ing for sale, transportation or distribution, of any fur prod-
3 uct which is made in whole or in part of fur which has
4 been shipped and received in commerce, and which is mis-
5 branded or falsely or deceptively advertised or invoiced,
6 within the meaning of this Act or the rules and regulations
7 prescribed under section 8 (b), is unlawful and shall be an
8 unfair method of competition, and an unfair and deceptive
9 act or practice, in commerce under the Federal Trade Com-
10 mission Act.

11 (c) The introduction into commerce, or the sale, ad-
12 vertising or offering for sale in commerce, or the transporta-
13 tion or distribution in commerce, of any fur which is falsely
14 or deceptively advertised or falsely or deceptively invoiced,
15 within the meaning of this Act or the rules and regulations
16 prescribed under section 8 (b), is unlawful and shall be an
17 unfair method of competition, and an unfair and deceptive
18 act or practice, in commerce under the Federal Trade Com-
19 mission Act.

20 (d) Except as provided in subsection (e) of this section,
21 it shall be unlawful to remove or mutilate, or cause or
22 participate in the removal or mutilation of, prior to the time
23 any fur product is sold and delivered to the ultimate con-
24 sumer, any label required by this Act to be affixed to such
25 fur product, and any person violating this subsection is guilty

1 of an unfair method of competition, and an unfair or decep-
2 tive act or practice, in commerce under the Federal Trade
3 Commission Act.

4 (e) Any person introducing, selling, advertising, or
5 offering for sale, in commerce, or processing for commerce,
6 a fur product, may substitute for the label affixed to such
7 product pursuant to section 4 of this Act, a label conform-
8 ing to the requirements of such section, and such label may
9 show in lieu of the name or other identification shown pur-
10 suant to section 4 (2) (E) on the label so removed, the
11 name or other identification of the person making the substi-
12 tution. Any person substituting a label shall keep such rec-
13 ords as will show the information set forth on the label that
14 he removed and the name or names of the person or persons
15 from whom such fur product was received.

16 (f) Subsections (a), (b), and (c) of this section shall
17 not apply to any common carrier, ~~or~~ contract carrier or
18 *freight forwarder* in respect of a fur product or fur shipped,
19 transported, or delivered for shipment in commerce in the
20 ordinary course of business.

21 MISBRANDED FUR PRODUCTS

22 SEC. 4. For for the purposes of this Act, a fur product
23 shall be considered to be misbranded—

24 (1) if it is falsely or deceptively labeled or other-
25 wise falsely or deceptively identified, or if the label con-

1 tains any form of misrepresentation or deception, directly
2 or by implication, with respect to such fur product;

3 (2) if there is not affixed to the fur product a label
4 showing in words and figures plainly legible—

5 (A) the name or names (as set forth in the
6 Fur Products Name Guide) of the animal or
7 animals that produced the fur, and such qualifying
8 statement as may be required pursuant to section
9 7 (c) of this Act;

10 (B) that the fur product contains or is com-
11 posed of used fur, when such is the fact;

12 (C) that the fur product contains or in com-
13 posed of bleached, dyed, or otherwise artificially
14 colored fur, when such is the fact;

15 (D) that the fur product is composed in whole
16 or in substantial part of paws, tails, bellies, or waste
17 fur, when such is the fact;

18 (E) the name, or other identification issued
19 and registered by the Commission, of one or more
20 of the persons who manufacture such fur product
21 for introduction into commerce, introduce it into
22 commerce, sell it in commerce, advertise or offer it
23 for sale in commerce, or transport or distribute it
24 in commerce;

(3) if the label required by paragraph (2) (A) of this section sets forth the name or names of any animal or animals other than the name or names provided for in such paragraph, ~~unless such name or names are preceded by the words "Processed to simulate" and the fur product has been so processed.~~

FALSE ADVERTISING AND INVOICING OF FUR PRODUCTS
AND FURS

SEC. 5. (a) For the purposes of this Act, a fur product or fur shall be considered to be falsely or deceptively advertised if any advertisement, representation, public announcement, or notice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of such fur product or fur—

(1) does not show the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this Act;

(2) does not show that the fur is used fur or that the fur product contains used fur, when such is the fact;

(3) does not show that the fur product or fur is bleached, dyed, or otherwise artificially colored fur when such is the fact;

1 (4) does not show that the fur product is composed
2 in whole or in substantial part of paws, tails, bellies,
3 or waste fur, when such is the fact;

4 (5) contains the name or names of any animal or
5 animals other than the name or names specified in
6 paragraph (1) of this subsection, ~~unless such name or~~
7 ~~names are preceded by the words "Processed to simu-~~
8 ~~late"~~ and the fur product has been so processed, or
9 contains any form of misrepresentation or deception,
10 directly or by implication, with respect to such fur
11 product or fur.

12 (b) For the purposes of this Act, a fur product or
13 fur shall be considered to be falsely or deceptively invoiced—

14 (1) if such fur product or fur is not invoiced to
15 show—

16 (A) the name or names (as set forth in the
17 Fur Products Name Guide) of the animal or
18 animals that produced the fur, and such qualifying
19 statement as may be required pursuant to section
20 7 (c) of this Act;

21 (B) that the fur product contains or is com-
22 posed of used fur, when such is the fact;

23 (C) that the fur product contains or is com-
24 posed of bleached, dyed, or otherwise artificially
25 colored fur, when such is the fact;

(D) that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(E) the name and address of the person issuing such invoice;

(2) if such invoice contains the name or names of any animal or animals other than the name or names specified in paragraph (1) (A) of this subsection, unless such name or names are preceded by the words "Processed to simulate" and the fur product has been so processed, or contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product or fur.

EXCLUSION OF MISBRANDED OR FALSELY INVOICED FUR PRODUCTS OR FURS

SEC. 6. (a) Fur products imported into the United States shall be labeled so as not to be misbranded within the meaning of section 4 of this Act; and all invoices of fur products and furs required under the Act of June 17, 1930 (ch. 497, title IV, 46 Stat. 719), shall set forth, in addition to the matter therein specified, information conforming with the requirements of section 5 (b) of this Act, which information shall be included in the invoices prior to their certification under said Act of June 17, 1930.

1 (b) The falsification of, or failure to set forth, said
2 information in said invoices, or the falsification or perjury
3 of the consignee's declaration provided for in said Act of
4 June 17, 1930, insofar as it relates to said information,
5 shall be an unfair method of competition, and an unfair and
6 deceptive act or practice, in commerce under the Federal
7 Trade Commission Act; and any person who falsifies, or
8 fails to set forth, said information in said invoices, or who
9 falsifies or perjures said consignee's declaration insofar as
10 it relates to said information, may thenceforth be prohibited
11 by the Commission from importing, or participating in the
12 importation of, any fur products or furs into the United
13 States except upon filing bond with the Secretary of the
14 Treasury in a sum double the value of said fur products and
15 furs, and any duty thereon, conditioned upon compliance
16 with the provisions of this section.

17 (c) A verified statement from the manufacturer, pro-
18 ducer of, or dealer in, imported fur products and furs showing
19 information required under the provisions of this Act may be
20 required under regulations prescribed by the Secretary of the
21 Treasury.

22 NAME GUIDE FOR FUR PRODUCTS

23 SEC. 7. (a) The Commission shall, with the assistance
24 and cooperation of the Department of Agriculture and the

1 Department of the Interior, within six months after the
2 date of the enactment of this Act, issue, after holding
3 public hearings, a register setting forth the names of
4 hair, fleece, and fur-bearing animals, which shall be
5 known as the Fur Products Name Guide. The names
6 used shall be the true English names for the animals in
7 question, or in the absence of a true English name for an
8 animal, the name by which such animal can be properly
9 identified in the United States.

10 (b) The Commission may, from time to time, with the
11 assistance and cooperation of the Department of Agriculture
12 and Department of the Interior, after holding public hearings,
13 add to or delete from such register the name of any hair,
14 fleece, or fur-bearing animal.

15 (c) If the name of an animal (as set forth in the Fur
16 Products Name Guide) connotes a geographical origin or
17 significance other than the true country or place of origin
18 of such animal, the Commission may require whenever such
19 name is used in setting forth the information required by
20 this Act, such qualifying statement as it may deem necessary
21 to prevent confusion or deception.

22 ENFORCEMENT OF THE ACT

23 SEC. 8. (a) (1) Except as otherwise specifically pro-
24 vided in this Act, sections 3, 6, and 10 (b) of this Act shall

1 be enforced by the Federal Trade Commission under rules,
2 regulations, and procedure provided for in the Federal
3 Trade Commission Act.

4 (2) The Commission is authorized and directed to pre-
5 vent any person from violating the provisions of sections 3,
6 6, and 10 (b) of this Act in the same manner, by the same
7 means, and with the same jurisdiction, powers, and duties
8 as though all applicable terms and provisions of the Federal
9 Trade Commission Act were incorporated into and made
10 a part of this Act; and any such person violating any pro-
11 vision of section 3, 6, or 10 (b) of this Act shall be sub-
12 ject to the penalties and entitled to the privileges and immu-
13 nities provided in said Federal Trade Commission Act as
14 though the applicable terms and provisions of the said Fed-
15 eral Trade Commission Act were incorporated into and
16 made a part of this Act.

17 (b) The Commission is authorized and directed to
18 prescribe rules and regulations governing the manner and
19 form of disclosing information required by this Act, and such
20 further rules and regulations as may be necessary and proper
21 for purposes of administration and enforcement of this Act.

22 (c) The Commission is authorized (1) to cause inspec-
23 tions, analyses, tests, and examinations to be made of any
24 fur product or fur subject to this Act; and (2) to cooperate,
25 on matters related to the purposes of this Act, with any

1 department or agency of the Government; with any State,
2 Territory, or possession, or with the District of Columbia;
3 or with any department, agency, or political subdivision
4 thereof; or with any person.

5 (d) (1) Every manufacturer or dealer in fur products
6 or furs shall maintain proper records showing the informa-
7 tion required by this Act with respect to all fur products or
8 furs handled by him, and shall preserve such records for
9 at least three years.

10 (2) The neglect or refusal to maintain and preserve
11 such records is unlawful, and any such manufacturer or
12 dealer who neglects or refuses to maintain and preserve
13 such records shall forfeit to the United States the sum of
14 \$100 for each day of such failure which shall accrue to the
15 United States and be recoverable by a civil action.

16 CONDEMNATION AND INJUNCTION PROCEEDINGS

17 SEC. 9. (a) (1) Any fur product or fur shall be liable
18 to be proceeded against in the district court of the United
19 States for the district in which found, and to be seized for
20 confiscation by process of libel for condemnation, if the Com-
21 mission has reasonable cause to believe such fur product or
22 fur is being manufactured or held for shipment, or shipped,
23 or held for sale or exchange after shipment, in commerce,
24 in violation of the provisions of this Act, and if after notice
25 from the Commission the provisions of this Act with respect

1 to such fur product or fur are not shown to be complied with.
2 Proceedings in such libel cases shall conform as nearly as
3 may be to suits in rem in admiralty, and may be brought
4 by the Commission.

5 (2) If such fur products or furs are condemned by the
6 court, they shall be disposed of, in the discretion of the court,
7 by destruction, by sale, by delivery to the owner or claimant
8 thereof upon payment of legal costs and charges and upon
9 execution of good and sufficient bond to the effect that such
10 fur or fur products will not be disposed of until properly
11 marked, advertised, and invoiced as required under the pro-
12 visions of this Act; or by such charitable disposition as the
13 court may deem proper. If such fur or fur products are dis-
14 posed of by sale, the proceeds, less legal costs and charges,
15 shall be paid into the Treasury of the United States as mis-
16 cellaneous receipts.

17 (b) Whenever the Commission has reason to believe
18 that—

19 (1) any person is violating, or is about to violate,
20 section 3, 6, or 10 (b) of this Act; and

21 (2) it would be to the public interest to enjoin
22 such violation until complaint is issued by the Com-
23 mission under the Federal Trade Commission Act and
24 such complaint dismissed by the Commission or set aside
25 by the court on review, or **until** order to cease and

1 desist made thereon by the Commission has become
2 final within the meaning of the Federal Trade Commis-
3 sion Act,

4 the Commission may bring suit in the district court of the
5 United States or in the United States court of any Territory,
6 for the district or Territory in which such person resides or
7 transacts business, to enjoin such violation, and upon proper
8 showing a temporary injunction or restraining order shall
9 be granted without bond.

10 GUARANTY

11 SEC. 10. (a) No person shall be guilty under section
12 3 if he establishes a guaranty received in good faith signed
13 by and containing the name and address of the person re-
14 siding in the United States by whom the fur product or
15 fur guaranteed was manufactured or from whom it was
16 received, that said fur product is not misbranded or that
17 said fur product or fur is not falsely advertised or invoiced
18 under the provisions of this Act. Such guaranty shall be
19 either (1) a separate guaranty specifically designating the
20 fur product or fur guaranteed, in which case it may be on
21 the invoice or other paper relating to such fur product or
22 fur; or (2) a continuing guaranty filed with the Commis-
23 sion applicable to any fur product or fur handled by a
24 guarantor, in such form as the Commission by rules and
25 regulations may prescribe.

(b) It shall be unlawful for any person to furnish, with respect to any fur product or fur, a false guaranty (except a person relying upon a guaranty to the same effect received in good faith signed by and containing the name and address of the person residing in the United States by whom the fur product or fur guaranteed was manufactured or from whom it was received) with reason to believe the fur product or fur falsely guaranteed may be introduced, sold, transported, or distributed in commerce, and any person who violates the provisions of this subsection is guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce within the meaning of the Federal Trade Commission Act.

CRIMINAL PENALTY

15 SEC. 11. (a) Any person who willfully violates section
16 3, 6, or 10 (b) of this Act shall be guilty of a misdemeanor
17 and upon conviction shall be fined not more than \$5,000,
18 or be imprisoned not more than one year, or both, in the
19 discretion of the court.

(b) Whenever the Commission has reason to believe any person is guilty of a misdemeanor under this section, it shall certify all pertinent facts to the Attorney General, whose duty it shall be to cause appropriate proceedings to be brought for the enforcement of the provisions of this section against such person.

1 APPLICATION OF EXISTING LAWS

2 SEC. 12. The provisions of this Act shall be held to
3 be in addition to, and not in substitution for or limitation
4 of, the provisions of any other Act of Congress.

5 SEPARABILITY OF PROVISIONS

6 SEC. 13. If any provision of this Act or the applica-
7 tion thereof to any person or circumstance is held invalid,
8 the remainder of the Act and the application of such pro-
9 vision to any other person or circumstance shall not be
10 affected thereby.

11 EFFECTIVE DATE

12 SEC. 14. This Act, except section 7, shall take effect
13 one year after the date of its enactment.

82^d CONGRESS
1ST SESSION

H. R. 2321

[Report No. 546]

A BILL

To protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs.

By Mr. O'HARA

FEBRUARY 2, 1951

Referred to the Committee on Interstate and Foreign
Commerce

JUNE 11, 1951

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

proposed by the Treasury experts. The main one was that \$1,900,000,000 is now paid out in interest that is not given on tax returns of individuals and \$1,400,000,000 is now paid out in dividends that is not rendered to the Government on individual tax returns. This means that that amount in interest and that amount in dividends are escaping taxation and it amounts at the present average rates to between five and six hundred million dollars that the Treasury is being cheated out of. That is in substance the argument.

Mr. SEELY-BROWN. Is this an opportunity to close what might be called an existing loophole?

Mr. MASON. It is a step to close that loophole, yes.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Kansas.

Mr. REES of Kansas. I want to commend the distinguished gentleman from Illinois, a member of the Ways and Means Committee of the House and, incidentally one of the hard-working members of that committee, for the very splendid explanation he has given the House with reference to this bill which will come before us in a few days. I think it is commendatory that we have a member of this committee take the time and put forth the effort to tell us what he thinks about this bill and give us a chance to receive his information and advice before we have the bill come before us for consideration.

Mr. MASON. May I say that I did it because I know the bill will come up under a closed rule and there will be little opportunity to analyze the bill before the Members will have to vote "yes" or "no." I think they are entitled to this information at least a week in advance.

Mr. REES of Kansas. I appreciate the gentleman's statement.

Mr. DEMPSEY. If the bill would come in here after all of the appropriation bills have been acted on and if the House does what it should, cut out all of the waste and extravagance, does not the gentleman think a lot of these taxes could be eliminated without any trouble?

Mr. MASON. Practically all of this increase in taxes could be eliminated if we would exercise some discretion in our expenditures.

Mr. DEMPSEY. I agree with the gentleman.

SPECIAL ORDER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that I may vacate the special order I have for today and that I may address the House for 5 minutes on tomorrow, following the legislative program and any special orders heretofore entered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. LANTAFF, for 1 week, on account of official business.

To Mr. HESS, for 2 days, on account of death in family.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. J. Res. 51. Joint resolution providing for United States participation in the celebration at Philadelphia, Pa., of the one hundred and seventy-fifth anniversary of the signing of the Declaration of Independence; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. STANLEY, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 652. An act for the relief of the estate of Mattie Mashaw; and

H. R. 2918. An act for the relief of Peter E. Kolesnikoff.

EXTENSION OF REMARKS

Mr. O'TOOLE asked and was given permission to extend his remarks and include an article appearing in the Catholic Digest on the Damon Runyon Cancer Fund.

Mr. YORTY asked and was given permission to extend his remarks in two instances and include extraneous matter.

Mr. PASSMAN asked and was given permission to extend his remarks and include an article.

Mr. ALLEN of Louisiana asked and was given permission to extend his remarks and include an editorial.

Mr. PICKETT asked and was given permission to extend his remarks and include an article.

Mr. PATMAN asked and was given permission to extend his remarks at the close of the legislative business today and include an editorial sent out by the McGraw-Hill Publishing Co. on the subject We Mobilize for Freedom—Why Controls Are Necessary.

Mr. MULTER asked and was given permission to extend his remarks in three instances and include extraneous matter.

Mr. KILBURN (at the request of Mr. POTTER) was given permission to extend his remarks and include an article.

Mr. MILLER of Nebraska asked and was given permission to extend his remarks on the subject of universal military training.

Mr. WOLVERTON asked and was given permission to extend his remarks in three instances and include newspaper articles.

Mr. HERTER (at the request of Mr. HESELTON) was given permission to extend his remarks and include an article.

Mr. SCUDDER asked and was given permission to extend his remarks and include an editorial.

Mr. REECE of Tennessee asked and was given permission to extend his re-

marks in two instances and include addresses delivered at the centennial exercises at Carson-Newman College in Tennessee.

Mr. CRAWFORD asked and was given permission to extend his remarks in three instances and include two editorials, a telegram, and a letter.

Mr. FARRINGTON asked and was given permission to extend his remarks in two instances and include addresses by the Korean Ambassador to the United States.

Mr. H. CARL ANDERSEN asked and was given permission to extend his remarks and include certain letters.

Mr. MARTIN of Massachusetts asked and was given permission to extend his remarks and include an address delivered by Representative GEORGE H. BENDER at a college in Ohio.

Mr. HOEVEN asked and was given permission to extend his remarks and include certain findings of fact and recommendations made by the Committee on Agriculture with reference to the beef roll-back.

Mr. ENGLE asked and was given permission to extend his remarks in four instances, in each to include extraneous matter.

Mr. HOWELL asked and was given permission to extend his remarks and include an editorial.

Mr. VAN ZANDT asked and was given permission to extend his remarks in three instances, in each to include extraneous matter.

Mr. MURDOCK, Mr. STEFAN, and Mr. ANGELL asked and were given permission to extend their remarks and include extraneous matter.

Mr. HINSHAW asked and was given permission to extend his remarks and include an editorial.

Mr. GREEN asked and was given permission to extend his remarks and include a letter.

Mr. NORBLAD asked and was given permission to extend his remarks in two instances, in each to include extraneous material.

Mr. McMULLEN asked and was given permission to extend his remarks and include an editorial appearing in the Tampa (Fla.) Tribune.

Mr. DONDERO asked and was given permission to extend his remarks.

Mr. REES of Kansas asked and was given permission to extend his remarks and include a statement he made before the Senate Committee on Expenditures today.

Mr. DEMPSEY asked and was given permission to revise and extend his remarks.

Mr. SHAFER asked and was given permission to extend his remarks in two instances.

Mr. ELLSWORTH asked and was given permission to extend his remarks.

ADJOURNMENT

Mr. PRIEST. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 4 minutes p. m.) the House adjourned until tomorrow, Tuesday, June 12, 1951, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

508. A letter from the Chairman, Federal Power Commission, transmitting a copy of Federal Power Commission Reports, volume 7, which contains all opinions issued by the Commission for the year 1948 and in addition contains selected orders in the nature of decisions, and a study of electric utility cost units, transmission plant, which is a study of investment and operating expenses by privately owned class A and class B electric utilities; to the Committee on Interstate and Foreign Commerce.

509. A letter from the Deputy Attorney General, transmitting a draft of legislation entitled "a bill to provide for a decrease in the rate of interest to be paid by the United States in the acquisition of lands under the power of eminent domain, title to which is taken in advance of final judgment"; to the Committee on the Judiciary.

510. A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1952 in the amount of \$7,500 for the Judiciary (H. Doc. No. 162); to the Committee on Appropriations, and ordered to be printed.

511. A letter from the Postmaster General transmitting the Cost-Ascertainment Report and Appendix for the fiscal year 1950; to the Committee on Post Office and Civil Service.

512. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal and lists or schedules covering records proposed for disposal by certain Government agencies; to the Committee on House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of June 7, 1951, the following bill was reported on June 8, 1951:

Mr. KERR: Committee on Appropriations. H. R. 4386. A bill making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1952, and for other purposes; without amendment (Rept. No. 544). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McGRATH: Committee on Appropriations. House Joint Resolution 267. Joint resolution making an additional appropriation for the legislative branch for the fiscal year 1951, and for other purposes; without amendment (Rept. No. 545). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'HARA: Committee on Interstate and Foreign Commerce. H. R. 2321. A bill to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs; with amendment (Rept. No. 546). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURRAY of Tennessee: Committee on Post Office and Civil Service. H. R. 2982. A bill to readjust postal rates; with amend-

ment (Rept. No. 547). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, pursuant to the order of the House of June 7, 1951, the following bill was introduced on June 8, 1951:

By Mr. KERR:

H. R. 4386. A bill making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1952, and for other purposes; to the Committee on Appropriations.

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of Louisiana:

H. R. 4387. A bill to increase the annual-income limitations governing the payment of pension to certain veterans and their dependents, and to preclude exclusions in determining annual income for purposes of such limitations; to the Committee on Veterans' Affairs.

By Mr. BARTLETT:

H. R. 4388. A bill to settle native land claims in the Territory of Alaska and to assist the natives of Alaska in stabilizing their economy; to the Committee on Interior and Insular Affairs.

By Mr. BENNETT of Florida:

H. R. 4389. A bill to amend the Administrative Procedure Act, so as to insure adequate notice to all interested parties of certain communications containing advocacy or advice and so as to prohibit, under certain conditions, the employment of a former employee of the Federal Government by any person, concern, or government other than the Federal Government; to the Committee on the Judiciary.

By Mr. COLMER:

H. R. 4390. A bill to provide for the establishment of quotas for tung oil, to impose certain duties on the importation of tung oil, and for other purposes; to the Committee on Ways and Means.

By Mr. FOGARTY:

H. R. 4391. A bill to provide additional income-tax relief for supporting blind or aged dependents; to the Committee on Ways and Means.

By Mr. MILLS:

H. R. 4392. A bill granting to persons who serve in the Armed Forces during the present hostilities, and to their dependents, certain benefits granted to veterans of World War II and their dependents; to the Committee on Veterans' Affairs.

By Mr. MURRAY of Tennessee:

H. R. 4393. A bill to extend for 2 years the period during which free postage for members of the Armed Forces of the United States in Korea and other specified areas shall be in effect; to the Committee on Post Office and Civil Service.

By Mr. RANKIN:

H. R. 4394. A bill to provide certain increases in the monthly rates of compensation and pension payable to veterans and their dependents, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. McKINNON:

H. R. 4395. A bill to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended; to the Committee on Banking and Currency.

By Mr. VINSON:

H. Res. 251. Resolution to make certain revisions in titles I through IV of the Officer Personnel Act of 1947, as amended, and for other purposes; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Michigan, requesting the enactment of legislation providing for a special postage stamp in recognition of the two hundred and fiftieth birthday observance of the city of Detroit; to the Committee on Post Office and Civil Service.

Also, memorial of the Legislature of the State of Pennsylvania, relative to transmitting a true copy of act No. 7 of the General Assembly of Pennsylvania, approved March 19, 1951, entitled "Authorizing the Commonwealth of Pennsylvania to enter into a compact with any other State for mutual helpfulness in meeting any civil defense emergency or disaster"; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOW:

H. R. 4396. A bill for the relief of Elias Papadopoulos; to the Committee on the Judiciary.

By Mr. FORD:

H. R. 4397. A bill for the relief of Minglan Hammerlind; to the Committee on the Judiciary.

By Mr. HOLMES:

H. R. 4398. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon certain claims of the Columbia Basin Orchard, the Seattle Association of Credit Men, and the Perham Fruit Corp.; to the Committee on the Judiciary.

By Mr. MITCHELL:

H. R. 4399. A bill for the relief of Mogens Louis Bramson; to the Committee on the Judiciary.

By Mr. O'TOOLE:

H. R. 4400. A bill for the relief of Mrs. Ellen Howlett; to the Committee on the Judiciary.

H. R. 4401. A bill for the relief of Verner George Christensen; to the Committee on the Judiciary.

By Mr. TABER:

H. R. 4402. A bill to legalize the entry of Solomon Joseph Sadakne, a native of Syria; to the Committee on the Judiciary.

By Mr. WILLIAMS of New York:

H. R. 4403. A bill for the relief of Lajb Arie Gepner; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

311. By Mr. BEAMER: Petition of certain leaders of Madison County, Ind., with regard to price control; to the Committee on Banking and Currency.

312. By Mr. KARSTEN of Missouri: Petition of Herman A. Hallkamp and others, urging adoption of legislation to provide increases in salaries paid to postal employees; to the Committee on Post Office and Civil Service.

Ford	Kirwan	Rabaut
Forrester	Klein	Reams
Frazier	Lane	Redden
Fugate	Lanham	Rhodes
Furcolo	Larcade	Riley
Garmatz	Lesinski	Roberts
Gore	Lucas	Robeson
Granahan	McCarthy	Rodino
Granger	McCormack	Rogers, Colo.
Grant	McGrath	Rogers, Fla.
Green	McGuire	Rogers, Tex.
Gregory	McKinnon	Sasser
Hardy	McMillan	Shelley
Harris	McMullen	Sieminski
Hart	Mack, Ill.	Smith, Miss.
Havener	Madden	Spence
Hays, Ark.	Magee	Staggers
Hedrick	Mahon	Steed
Heller	Marshall	Stigler
Herlong	Mills	Stockman
Holfield	Mitchell	Tackett
Howell	Morgan	Thomas
Jackson, Wash.	Morris	Thompson, Tex.
Jarman	Multer	Thornberry
Javits	Murdock	Trimble
Jones, Ala.	Murphy	Walter
Jones, Mo.	Norrell	Watts
Jones,	O'Brien, Ill.	Welch
Hamilton C.	O'Brien, Mich.	Whitaker
Jones,	O'Neill	Whitten
Woodrow W.	O'Toole	Wickersham
Karsten, N. Y.	Passman	Wier
Kelly, N. Y.	Perkins	Willis
Kennedy	Philbin	Wilson, Tex.
Keogh	Poage	Winstead
Kerr	Polk	Yates
Kilday	Price	Yorty
King	Priest	

NOT VOTING—97

Aandahl	Gillette	Moulder
Bailey	Golden	Murray, Wis.
Baker	Goodwin	Patman
Battle	Gordon	Patten
Beall	Hall,	Powell
Belcher	Edwin Arthur	Preston
Bosone	Hays, Ohio	Rains
Breen	Hébert	Ramsay
Brehm	Heffernan	Reed, Ill.
Brooks	Herter	Regan
Burdick	Hess	Ribicoff
Byrne, N. Y.	Hoffman, Ill.	Richards
Camp	Irving	Rivers
Carnahan	Johnson	Rooney
Chelf	Judd	Roosevelt
Chiperfield	Kearns	Sabath
Clemente	Kelley, Pa.	Scott, Hardie
Cole, Kans.	Kersten, Wis.	Secrest
Cole, N. Y.	Kluczynski	Sheppard
Colmer	Lantaff	Short
Cotton	LeCompte	Sikes
Coudert	Lind	Simpson, Pa.
Davis, Tenn	Lyle	Smith, Kans.
DeGraffenried	McDonough	Smith, Wis.
Dingell	McVey	Sutton
Doughton	Machrowicz	Teague
Doyle	Mansfield	Towe
Durham	Martin, Mass	Vinson
Eaton	Meador	Wharton
Elston	Morrow	Wigglesworth
Flood	Miller, Calif.	Woodruff
Gary	Morano	Zablocki
George	Morrison	

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Herter for, with Mr. Camp against.

Mr. Towe for, with Mr. Preston against.

Mr. Eaton for, with Mr. Teague against.

Mr. Gillette for, with Mr. Lantaff against.

Mr. Kearns for, with Mr. deGraffenried against.

Mr. Coudert for, with Mr. Dingell against.

Mr. Elston for, with Mr. Kelley of Pennsylvania against.

Mr. Hess for, with Mr. Patten of Arizona against.

Mr. Ribicoff for, with Mr. Clemente against.

Mr. LeCompte for, with Mr. Carnahan against.

Mr. Reed of Illinois for, with Mr. Byrne of New York against.

Mr. Brehm for, with Mr. Flood against.

Mr. Short for, with Mr. Moulder against.

Mr. Simpson of Pennsylvania for, with Mr. Mansfield against.

Mr. Cole of New York for, with Mr. Hays of Ohio against.

Mr. Baker for, with Mr. Gordon against.

Mr. Woodruff for, with Mr. Zablocki against.

Mr. Merrow for, with Mr. Kluczynski against.

Mr. Meader for, with Mr. Chelf against.

Mr. Golden for, with Mrs. Bosone against.

Mr. Goodwin for, with Mr. Brooks against.

Mr. Smith of Kansas for, with Mr. Heffernan, against.

Mr. McVey for, with Mr. Rooney against.

Mr. Chiperfield for, with Mr. Sikes against.

Mr. Judd for, with Mr. Roosevelt against.

Mr. Johnson for, with Mr. Machrowicz against.

Until further notice:

Mr. Miller of California with Mr. Martin of Massachusetts.

Mr. Morrison with Mr. McDonough.

Mr. Hébert with Mr. Wigglesworth.

Mr. Regan with Mr. Smith of Wisconsin.

Mr. Rivers with Mr. Hardie Scott.

Mr. Sabath with Mr. Edwin Arthur Hall.

Mr. Sheppard with Mr. Murray of Wisconsin.

Mr. Battle with Mr. Cole of Kansas.

Mr. Doyle with Mr. Cotton.

Mr. BROWN of Ohio. Mr. Speaker, may we have the well cleared so we can see who changes his vote?

The SPEAKER. If we are going to start that procedure now we will follow it on every vote hereafter. There are just as many on one side as the other.

The Members will retire from the well to their seats.

Mr. BOYKIN. Mr. Speaker, how am I recorded?

The CLERK. The gentleman is recorded as voting "yea."

Mr. BOYKIN. Mr. Speaker, I change my vote from "yea" to "nay."

Mr. O'TOOLE. Mr. Speaker, I change my vote from "yea" to "nay."

Mr. LUCAS. Mr. Speaker, how am I recorded?

The CLERK. The gentleman from Texas is recorded as voting "nay."

Mr. SASSCER. Mr. Speaker, how am I recorded?

The CLERK. The gentleman from Maryland is recorded as voting "nay."

Mr. JARMAN. Mr. Speaker, how am I recorded?

The CLERK. The gentleman from Oklahoma is recorded as voting "nay."

Mr. BURNSIDE. Mr. Speaker, I qualify and vote "nay."

Mr. ROOSEVELT. Mr. Speaker, I vote "nay."

Mr. HALLECK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALLECK. Is it necessary on this vote that Members qualify?

The SPEAKER. It is.

Mr. HALLECK. I did not hear the gentleman say that he could qualify under the rule.

The SPEAKER. Which gentleman?

Mr. HALLECK. The gentleman from New York [Mr. ROOSEVELT].

Mr. ROOSEVELT. No, Mr. Speaker; I was not here in the beginning.

The SPEAKER. Members to qualify must have been in the hall listening when the roll was called and not heard their names called.

Mr. ALBERT. Mr. Speaker, how am I recorded?

The CLERK. The gentleman from Oklahoma is recorded as voting "nay."

Mr. GAVIN. Mr. Speaker, how am I recorded?

The CLERK. The gentleman from Pennsylvania is recorded as voting "nay," Mr. Speaker.

Mr. GAVIN. Mr. Speaker, I change my vote from "nay" to "yea."

Mr. BEALL. Mr. Speaker, am I recorded?

The CLERK. The gentleman from Maryland is not recorded.

Mr. BEALL. Mr. Speaker, I cannot qualify.

Mr. O'KONSKI. Mr. Speaker, how am I recorded?

The CLERK. The gentleman from Wisconsin is not recorded.

Mr. O'KONSKI. Mr. Speaker, I qualify and vote "yea."

The result of the vote was announced as above recorded.

Mr. RABAUT. Mr. Speaker, pursuant to the instructions of the House in the motion to recommit, I report back the bill, H. R. 4386, with an amendment which is on the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 15, insert a new section as follows:

"No part of any appropriation or authorization contained in this act shall be used to pay the compensation of any incumbent appointed to any civil office or position which may become vacant during the fiscal year beginning on July 1, 1951: *Provided*, That this inhibition shall not apply—

"(a) to not to exceed 25 percent of all vacancies;

"(b) to positions filled from within the agency;

"(c) to offices or positions required by law to be filled by appointment of the President by and with the advice and consent of the Senate;

"(d) to seasonal and casual workers;

"(e) to employees in grades CPC 1 and 2;

"(f) to employees paid from trust funds;

"(g) to employees of the Canal Zone government.

Provided further, That when any department or agency covered in this act has reduced their employment rolls to 80 percent of the total number on their rolls as of July 1, 1951, this limitation may cease to apply."

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

CLERK AUTHORIZED TO CORRECT SECTION NUMBERS

Mr. RABAUT. Mr. Speaker, I ask unanimous consent that the Clerk have authority to correct section numbers in the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. RABAUT. Mr. Speaker, I ask unanimous consent that all Members may have an opportunity in the proper place in the RECORD to extend their remarks in reference to the change of the name from the Buggs Island Dam to the John H. Kerr Dam.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

JOINT COMMITTEE ON THE ECONOMIC REPORT

The SPEAKER. Pursuant to the provisions of section 5, Public Law 304, Seventy-ninth Congress, the Chair appoints as a member of the Joint Committee on the Economic Report the gentleman from California, Mr. McKINNON, to fill an existing vacancy thereon.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

WASHINGTON, D. C., June 13, 1951.

The Honorable SAM RAYBURN,

*Speaker of the House of Representatives,
United States Capitol.*

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Merchant Marine and Fisheries of the House of Representatives to be effective immediately in order to accept an appointment to the Committee on Banking and Currency.

WILLIAM A. BARRETT.

The SPEAKER. Without objection, the resignation is accepted. There was no objection.

ELECTION OF MEMBER TO COMMITTEE ON BANKING AND CURRENCY

Mr. COOPER. Mr. Speaker, I offer a privileged resolution (H. Res. 254) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That WILLIAM A. BARRETT, of Pennsylvania, be, and he is hereby, elected a member of the standing committee of the House of Representatives on Banking and Currency.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION OF MEMBER TO COMMITTEE ON PUBLIC WORKS

Mr. COOPER. Mr. Speaker, I offer a privileged resolution (H. Res. 255) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That CLARE MAGEE, of Missouri, be, and he is hereby, elected a member of the standing committee of the House of Representatives on Public Works.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROTECTING CONSUMERS AND OTHERS AGAINST MISBRANDING AND FALSE ADVERTISING

Mr. DELANEY, from the Committee on Rules, reported the following privileged resolution (H. Res. 256, Rept. No. 573), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the

Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2321) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AMENDING AGRICULTURAL ACT OF 1949

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 257, Rept. No. 574), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3283) to amend the Agricultural Act of 1949. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

LEAVE OF ABSENCE

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Wisconsin, Mr. KERSTEN, be granted leave of absence for today on account of official business.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

SPECIAL ORDER

The SPEAKER. Under the previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

(Mrs. ROGERS of Massachusetts asked and was given permission to revise and extend her remarks and include a description of the National Paraplegia Foundation.)

THE NATIONAL PARAPLEGIA FOUNDATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, the Public Health Service tells us that there are 85,000 paraplegics in the civilian population of the United States. Paraplegics are paralyzed from the level of a spinal injury on down. These are the forgotten men and women, boys and girls among the Nation's paralyzed.

The Paralyzed Veterans of America have set out to help them and established the National Paraplegia Foundation to

do this job. The National Paraplegia Foundation is a non-profit corporation incorporated under the laws of the State of Illinois.

Briefly the purposes for which the National Paraplegia Foundation was organized as stated in their corporate charter are to form a national foundation for the benefit of all persons who have suffered injury to the spinal cord. They want to set up adequate rehabilitation programs for these people, the majority of whom are not now receiving care and training. The program has been endorsed by Dr. Morris Fishbein, editor of the Journal of the American Medical Association.

The foundation has a board of directors composed of prominent business leaders and paralyzed veterans to manage its affairs. Its president is Jerry Giesler, an attorney from Los Angeles, Calif. The duties of the Board are to manage the affairs of the corporation and to raise funds to carry on the program to help paraplegics resume their normal place in their communities and to become self-supporting.

The National Paraplegia Foundation has a medical advisory committee to direct its activities from a medical standpoint and to set the standards for its research programs. The chairman of the medical advisory committee is Dr. Leslie W. Freeman, director of surgical research, Indiana University Medical Center in Indianapolis. Also on the board are Dr. R. Glen Spurling, professor of neurological surgery at the University of Louisville School of Medicine and formerly Chief Consultant in Neurosurgery to the Veterans' Administration, Dr. Andrew C. Ivy, vice president of the University of Illinois and nine other equally prominent medical men make up the board that advises the foundation's board of directors on establishing its program and carrying out its researches.

At the present time the National Paraplegia Foundation is operating a medical-fellowship program utilizing available medical school laboratories across the Nation. Doctors are given an opportunity through this program to carry research projects in connection with spinal cord injury and the basic physiology of the spinal cord. Spinal cord injuries are received through many types of accidents ranging from accidents at birth through sports activities and falling down steps at school and on into automobile and industrial accidents as well as accidents around the home.

The support of all Americans is needed for this worthy cause. Money is needed to help the National Paraplegia Foundation help these people who would otherwise not receive aid. An understanding attitude by the general public will help paraplegics to resume their occupations and trades and to become self-supporting independent and happy individuals.

The following is a brief description of the National Paraplegia Foundation:

WHY THE NATIONAL PARAPLEGIA FOUNDATION WAS FORMED—HOW IT IS ORGANIZED

The Paralyzed Veterans' Associations of America (now Paralyzed Veterans of Amer-

560). Referred to the Committee of the Whole House on the State of the Union.

Mr. RANKIN: Committee on Veterans' Affairs. H. R. 3205. A bill to amend the Veterans Regulations to provide that multiple sclerosis developing a 10-percent or more degree of disability within 3 years after separation from active service shall be presumed to be service-connected; without amendment (Rept. No. 561). Referred to the Committee of the Whole House on the State of the Union.

Mr. RANKIN: Committee on Veterans' Affairs. H. R. 3549. A bill to modify eligibility requirements for payment of pension to certain widows of veterans of the Civil War, Indian wars, and Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection; without amendment (Rept. No. 562). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H. R. 3830. A bill to authorize the construction and equipment of a geomagnetic station for the Department of Commerce; without amendment (Rept. No. 563). Referred to the Committee of the Whole House on the State of the Union.

Mr. RANKIN: Committee on Veterans' Affairs. H. R. 3861. A bill to extend to June 30, 1953, the authority of the Administrator of Veterans' Affairs to make direct home and farmhouse loans under title III of the Servicemen's Readjustment Act of 1944, as amended, and for other purposes with amendment (Rept. No. 564). Referred to the Committee of the Whole House on the State of the Union.

Mr. RANKIN: Committee on Veterans' Affairs. H. R. 3932. A bill to amend subparagraph (a), paragraph I, part I, Veterans Regulation No. 1 (a), as amended, to provide more equitable rates of disability and death compensation for disability or death incurred in service on or after June 27, 1950, and for other purposes, with amendment (Rept. No. 565). Referred to the Committee of the Whole House on the State of the Union.

Mr. RANKIN: Committee on Veterans' Affairs. H. R. 4000. A bill to amend subsection 602 (f) of the National Service Life Insurance Act of 1940, as amended, to authorize renewals of level premium term insurance for successive 5-year periods; without amendment (Rept. No. 566). Referred to the Committee of the Whole House on the State of the Union.

Mr. RANKIN: Committee on Veterans' Affairs. H. R. 4108. A bill to amend the act of July 2, 1948 (Public Law 877, 80th Cong.), as amended, to include persons whose service-connected disability is rated not less than 40 percent; without amendment (Rept. No. 567). Referred to the Committee of the Whole House on the State of the Union.

Mr. RANKIN: Committee on Veterans' Affairs. H. R. 4233. A bill to authorize payments to the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans or cash payments in lieu thereof, and for other purposes; with amendment (Rept. No. 568). Referred to the Committee of the Whole House on the State of the Union.

Mr. RANKIN: Committee on Veterans' Affairs. H. R. 4387. A bill to increase the annual income limitations governing the payment of pension to certain veterans and their dependents, and to preclude exclusions in determining annual income for purposes of such limitations; without amendment (Rept. No. 569). Referred to the Committee of the Whole House on the State of the Union.

Mr. RANKIN: Committee on Veterans' Affairs. H. R. 4394. A bill to provide certain increases in the monthly rates of compensation and pension payable to veterans and their dependents, and for other pur-

poses; without amendment (Rept. No. 570). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. S. 1025. An act to expand the authority of the Coast Guard to establish, maintain, and operate aids to navigation to include the Trust Territory of the Pacific Islands; without amendment (Rept. No. 571). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Joint Committee on the Disposition of Executive Papers. In compliance with the provisions of the act approved July 6, 1943 (57 Stat. 380), as amended by the act approved July 6, 1945 (59 Stat. 434); without amendment (Rept. No. 572). Ordered to be printed.

Mr. DELANEY: Committee on Rules. House Resolution 256. Providing for the consideration of H. R. 2321. A bill to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs; without amendment (Rept. No. 573). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 257. Providing for the consideration of H. R. 3283. A bill to amend the Agricultural Act of 1949; without amendment (Rept. No. 574). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HARRIS:

H. R. 4431. A bill to extend and revise the District of Columbia Emergency Rent Act; to the Committee on the District of Columbia.

By Mr. ARMSTRONG:

H. R. 4432. A bill to promote on the retired list enlisted men and officers who were decorated and recommended for promotion for gallant or distinguished service and subsequently wounded and who have not attained the rank to which recommended; to the Committee on Armed Services.

By Mr. CANFIELD:

H. R. 4433. A bill to amend section 304 (relating to the marking of imported articles) of the Tariff Act of 1930, as amended; to the Committee on Ways and Means.

By Mr. EDWIN ARTHUR HALL:

H. R. 4434. A bill to double pensions of dependent widows of veterans of all wars in which the United States has been or is being engaged; to the Committee on Veterans' Affairs.

By Mr. HART:

H. R. 4435. A bill to incorporate the Legion of Guardsmen; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 4436. A bill to provide for the establishment of a separate immigration quota for nationals of Pakistan; to the Committee on the Judiciary.

By Mr. O'HARA:

H. R. 4437. A bill to continue for a temporary period certain powers, authority, and discretion for the purpose of exercising, administering, and enforcing import controls with respect to fats and oils (including butter), cheese, and rice and rice products; to the Committee on Banking and Currency.

By Mrs. ROGERS of Massachusetts:

H. R. 4438. A bill to provide appropriate lapel buttons for parents of members of the Armed Forces who lost their lives in the armed services of the United States during World War I; to the Committee on Armed Services.

By Mr. SMITH of Mississippi:

H. R. 4439. A bill to authorize certain additional appointments to the United States Military Academy and the United States

Naval Academy; to the Committee on Armed Services.

H. R. 4440. A bill to provide for the payment of increased special pensions to persons holding the Congressional Medal of Honor, and for other purposes; to the Committee on Veterans' Affairs.

H. R. 4441. A bill to provide additional compensation for members of the Army, Navy, and Air Force during periods of combat duty in Korea; to the Committee on Armed Services.

By Mr. CASE:

H. R. 4442. A bill to extend to certain individuals serving on active duty in the Armed Forces the same protection against bodily attack as is now granted to personnel of the Coast Guard; to the Committee on the Judiciary.

By Mr. LUCAS:

H. R. 4443. A bill to prevent the entry of certain mollusks into the United States; to the Committee on Agriculture.

By Mr. VINSON:

H. R. 4444. A bill to authorize the Secretary of the Navy to convey to the city of Macon, Ga., a parcel of land in the said city of Macon, containing 2 acres, more or less, to the Committee on Armed Services.

By Mr. ADDONIZIO:

H. R. 4445. A bill to provide for the erection at the Memorial Avenue entrance to the Arlington National Cemetery of the sculptural piece known as The Last Farewell, and for the establishment of the Christopher Columbus Memorial Grove; to the Committee on Interior and Insular Affairs.

By Mr. GRANAHAH:

H. R. 4446. A bill relating to the income restrictions placed upon the payment of certain pensions to the widows and children of veterans of World Wars I and II; to the Committee on Veterans' Affairs.

H. R. 4447. A bill to amend the Selective Service Act of 1948; to the Committee on Armed Services.

By Mr. MITCHELL:

H. R. 4448. A bill to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended; to the Committee on Banking and Currency.

By Mr. REES of Kansas:

H. R. 4449. A bill to amend the Internal Revenue Code, so as to increase the penalties applicable to persons who sell or otherwise transfer marihuana to minors; to the Committee on Ways and Means.

By Mr. GATHINGS:

H. R. 4450. A bill to amend section 10 of the Flood Control Act of 1946; to the Committee on Public Works.

By Mr. DEMPSEY:

H. R. 4451. A bill providing equal pay for equal work for women, and for other purposes; to the Committee on Education and Labor.

By Mr. PATMAN:

H. R. 4452. A bill to amend section 2 of the Clayton Act so as to make it applicable to discriminatory sales to the United States and to any State or political subdivision thereof; to the Committee on the Judiciary.

By Mr. GOODWIN:

H. J. Res. 269. Joint resolution to provide for the reestablishment of a postal branch station at West Medford, Mass.; to the Committee on Post Office and Civil Service.

MEMORIALS

Under clause 3 of rule XXII, a memorial was presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to Senate Joint Resolution No. 34, relating to refusal of passage

of H. R. 3348; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H. R. 4453. A bill for the relief of Emanuele Ferrigno; to the Committee on the Judiciary.

By Mr. BYRNES of Wisconsin:

H. R. 4454. A bill for the relief of Maria Alexandra Banescu; to the Committee on the Judiciary.

By Mr. CASE:

H. R. 4455. A bill for the relief of Robert A. Buchanan; to the Committee on the Judiciary.

H. R. 4456. A bill for the relief of Vincent F. Leslie; to the Committee on the Judiciary.

By Mr. CURTIS of Missouri:

H. R. 4457. A bill for the relief of NG Shuk-Ying, NG Shuk-Jen, NG Wai-Ming, and NG Wai-Kuen; to the Committee on the Judiciary.

By Mr. HALE:

H. R. 4458. A bill for the relief of Tibor Kálmán Jalsoviczky; to the Committee on the Judiciary.

By Mr. JAVITS:

H. R. 4459. A bill for the relief of Lodewyck Bruckman; to the Committee on the Judiciary.

H. R. 4460. A bill for the relief of Valentin M. Sara; to the Committee on the Judiciary.

By Mrs. KELLY of New York:

H. R. 4461. A bill for the relief of Vincenzo Coluccio; to the Committee on the Judiciary.

By Mr. REES of Kansas:

H. R. 4462. A bill for the relief of David Helmer; to the Committee on the Judiciary.

By Mr. SCRIVNER:

H. R. 4463. A bill to effect the entry of a minor child adopted by a citizen of the United States; to the Committee on the Judiciary.

By Mr. WIDNALL:

H. R. 4464. A bill for the relief of Mrs. Regina Hansen McEntee; to the Committee on the Judiciary.

By Mr. WOOD of Idaho:

H. R. 4465. A bill for the relief of Angela Moniz McCracken; to the Committee on the Judiciary.

By Mr. YORTY:

H. R. 4466. A bill for the relief of Rahel Zakar Peters; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

315. By Mr. CANFIELD: Resolution adopted by National Retail Lumber Dealers Association with reference to the continuation of certain Government restrictions and controls; to the Committee on Banking and Currency.

316. Also, resolutions adopted by the New Jersey Bankers Association opposing the enactment of the proposed 20 percent withholding tax on dividends and on interest on savings accounts and United States Government savings bonds and urging the adoption of legislation requiring the payment of taxes

by savings and loan associations; to the Committee on Ways and Means.

317. By Mr. HART: Petition of local 988, Union City, N. J., of the National Federation of Post Office Clerks, urging a discontinuance of the present method of paying salaries of postal employees on a semimonthly basis. Payment on a weekly basis is the accepted procedure; to the Committee on Post Office and Civil Service.

318. Also, petition of local 483 of Jersey City, N. J., of the New Jersey Federation of Post Office Clerks at a conference assembled in Jersey City on May 19, 1951, condemning vigorously any attempts to increase the 40-hour workweek in the postal service; to the Committee on Post Office and Civil Service.

319. Also, petition of local 988, Union City, N. J., New Jersey Federation of Post Office Clerks desire to go on record as favoring enactment of House bill 2241, and Senate bill 1015; to the Committee on Post Office and Civil Service.

320. By Mr. HINSHAW: Petition of the Burbank, Calif., Chamber of Commerce to the Congress of the United States to reject amendments to the Defense Production Act of 1950, as introduced by Congressman SPENCE (House bill 3871), and Senator MAYBANK (Senate bill 1397); to the Committee on Banking and Currency.

321. By Mr. SADLAK: Petition of the Connecticut State Industrial Council, Waterbury, Conn., containing many signatures urging the Connecticut Members of Congress to exert every effort to amend the Defense Production Act so that it will accomplish the purposes for which it was intended and attaching seven suggested amendments; to the Committee on Banking and Currency.

CONSIDERATION OF H. R. 2321

JUNE 13, 1951.—Referred to the House Calendar and ordered to be printed

Mr. DELANEY, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. 256]

The Committee on Rules, having had under consideration House Resolution 256, report the same to the House with the recommendation that the resolution do pass.



House Calendar No. 45

82^D CONGRESS
1ST SESSION

H. RES. 256

[Report No. 573]

IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 1951

Mr. DELANEY, from the Committee on Rules, reported the following resolution;
which was referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That immediately upon the adoption of this
2 resolution it shall be in order to move that the House resolve
3 itself into the Committee of the Whole House on the State of
4 the Union for the consideration of the bill (H. R. 2321) to
5 protect consumers and others against misbranding, false ad-
6 vertising, and false invoicing of fur products and furs. That
7 after general debate, which shall be confined to the bill and
8 continue not to exceed one hour, to be equally divided and
9 controlled by the chairman and the ranking minority member
10 of the Committee on Interstate and Foreign Commerce, the
11 bill shall be read for amendment under the five-minute rule.
12 At the conclusion of the consideration of the bill for amend-

1 ment, the Committee shall rise and report the bill to the
2 House with such amendments as may have been adopted and
3 the previous question shall be considered as ordered on the
4 bill and amendments thereto to final passage without inter-
5 vening motion except one motion to recommit.

House Calendar No. 45

82^d CONGRESS
1ST SESSION

H. RES. 256

[Report No. 573]

RESOLUTION

Providing for the consideration of H. R. 2321,
a bill to protect consumers and others against
misbranding, false advertising, and false in-
voicing of fur products and furs.

By Mr. DELANEY

JUNE 13, 1951

Referred to the House Calendar and ordered to be
printed

Other industries of Spain include the manufacture of tiles, earthenware, glassware, bricks, furniture, and leather, as well as flour milling and sugar refining.

AGRICULTURAL RESOURCES

Of course, agriculture is the basis of Spain's economy. Before the revolution, the country was self-supporting in most essential foodstuffs. And agricultural products accounted for approximately two-thirds of Spain's exports. But Spain's greatest wealth, her soil, has been depleted by failure to maintain a fertilizer program. In addition, she has been hard hit by droughts since 1945—droughts that have served to deplete her crops and her hydroelectric power sources.

SIGNIFICANCE OF SPANISH ECONOMY

I trust my colleagues will not regard this hurried review of the economic resources of Spain as a pedantic lecture on things that most people should know. But I am attempting to bring into focus all the contributions Spain could make were she to be incorporated into the defense of Western Europe. Spain needs to be strengthened economically. If we are to continue the Marshall plan, the military assistance plan, and, mayhap, a point 4 plan, then I insist that assistance should be given to Spain's economy, in order that she may become a stronger partner, either as a member of the North Atlantic Pact or in separate alliance with Portugal and the United States of America.

MILITARY POTENTIALS

I have dwelt on the strategic advantages to be gained by an alliance with Spain. I now wish to present to the House the actual and potential military contributions Spain could make in the way of war matériel and manpower.

The Spanish Army is the largest non-Communist fighting force in Europe today. It has 422,000 men in 22 divisions. It is estimated that, if necessary, they could put 2,000,000 men in the field. Spain's infantry demonstrated beyond peradventure, in the civil war, its capacity for tough fighting. Its army is composed chiefly of peasants who can operate in the field without too much in the way of refined equipment, food, or transportation. Even so, the soldiers of the Spanish Army are well-fed and clothed. The Spanish arsenals produce enough machine guns, Mauser rifles, and revolvers, but the army is deficient in heavy artillery, tanks, and support.

In the matter of officer strength, Spain maintains a most commendable training program. Most university students are required to do 2 months' summer training over a period of years in order to become reserve commissioned officers and in order to hold those commissions, or to advance to higher grades.

Spain's Navy is old and of little consequence. Likewise her air force, though she presently has some 1,500 trained pilots with a small number of antiquated aircraft.

Having said this, however, I wish to emphasize to the Members of the House that Spain has an estimated potential

military manpower of 2,000,000 men, and if well trained, equipped, and supplied, they could furnish one of the greatest contributions to the defense of Western Europe of any of the nations joined in the effort to stem the spread of the communistic menace. And, remember, Spain has several hundred thousand seasoned combat veterans—veterans of the terrible civil war. This fact alone would insure that her contributions would be invaluable.

LET'S MAKE SPAIN OUR ALLY

And so I say, let us make Spain our ally—an ally in the North Atlantic Pact or an ally under separate agreement with the United States and Portugal. An ally to help maintain the peace, but an ally, too, in the event of war which we seek to avoid. Who, more than Spain, has experienced the meaning and significance of communism? Spain is the one nation of Western Europe today which has demonstrated the will to fight and repulse the incursion of communism.

The Spaniards know that, standing alone, and in the present state of their armament, they could not resist for long even with the great natural barrier of the Pyrenees, and no matter how desperate and heroic their resistance might be.

I know that Spain is asking, "How can we save ourselves?" I believe General Eisenhower has come to symbolize the iron will to resist, and that the United States has come to symbolize the arsenal that can insure peace or that can turn that resistance to victory should the situation demand.

We need alliance with Spain because of her strategic geographical advantages. We need alliance with Spain because of her resources and facilities. We need alliance with Spain because of her trained and reserve military manpower. We need alliance with Spain to assist in keeping available to us the strategic materials found in Africa, and to insure air lanes across that continent. We need alliance with Spain, above all things, because of her indomitable will to resist the aggression that threatens Europe and the rest of the freedom-loving peoples of the world.

PERMISSION TO ADDRESS THE HOUSE

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PRESIDENT TRUMAN'S SPEECH ON INFLATION

Mr. CURTIS of Missouri. Mr. Speaker, I have received many letters from my constituents back home asking for my views on President Truman's message asking for economic controls, given on Thursday, June 14. The following are the comments that I have made to my people.

I listened very intently Thursday night, June 14, to President Truman's speech on inflation.

I noted with regret that, instead of trying to unify the country, he proceeded

to castigate certain large segments of our peoples. He used the National Association of Manufacturers as his whipping boy again. Well, I do not think the National Association of Manufacturers is always on the right track, but I certainly have respect for their judgment just as I have respect for the judgment of our great labor leaders, farm leaders and leaders in other segments of our society.

Furthermore, even when their views conflict, which is quite often, I do not believe that one would find more or less sincerity or patriotism in any particular one of these groups. I would expect the President to reach this same conclusion. I further noted that President Truman used deception in his speech to the American public. He castigated the people who wanted to take off controls back in 1946. Well, certain people's memory may be short, but I think most recall that it was President Truman himself who took off controls 2 months before the Eightieth Congress met for the first time in January 1947. He may castigate the NAM or other groups for giving him bad advice, but to be honest, he should have stated it that way. He and he alone assumed the responsibility for taking off controls. Personally, I think controls should come off and I believe this could have been accomplished successfully if the President had properly performed his job.

But this is water over the dam. It does not help solve our present problems. And that is what the President should have directed our attention to, alone.

First of all, in talking about the need for controls and the continuance of the present emergency, the President said not one word about the basic force lying behind inflation—the \$260,000,000,000 Federal debt. A \$260,000,000,000 Federal debt means that we have extended credit, issued paper money, to the extent of \$260,000,000,000 beyond the normal credit existing in our private enterprise system. This is bound to bring inflation. To stop it we must cut to the bone Federal expenditures and start paying off the Federal debt, at least not increase it. We cannot buy everything we might want to buy tomorrow. You and I have to plan when we can afford to buy an icebox or an automobile. We may have to put it off for a year or two. Well, if we are to beat inflation, so must our Federal Government put off buying what it cannot afford this year.

We must, of course, buy what is necessary for national defense, but even here, intelligence prescribes that we schedule our buying. It is not the people who are at fault for inflation. It is the Federal Government in its spending program, and President Truman said not one word about cutting Federal expenditures or balancing the budget in his speech.

All he said was he wanted more controls. Well, controls simply put the lid on the steaming saucepan. If you do not lower or douse the fire under the saucepan, no lid will keep the steam in. In fact, you may get an explosion.

I am against controls unless we hit at the fire causing inflation at the same time. I am in favor of extending the

power of the President to impose controls across the board—which powers he has now had for almost 8 months—so that he can immediately impose controls when he douses the fire. But I do so with great fear, because if the fire is allowed to burn, imposition of controls will be a very dangerous and very ineffective procedure. The power to control is a terrible power. It should be applied only with the greatest of caution and wisdom. A wise man, if he did request this power, would request it with humility and prayer, not with arrogance, blame and bluster.

SPECIAL ORDER GRANTED

Mr. BENNETT of Florida asked and was given permission to address the House for 30 minutes on Tuesday, June 26, 1951, following the legislative program and any special orders heretofore entered.

FUR LABELING

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 256 and ask for its immediate consideration.

The Clerk read the House resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2321) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

(Mr. DELANEY asked and was given permission to revise and extend his remarks.)

Mr. DELANEY. Mr. Speaker, I yield 20 minutes to the gentlemen from Oregon [Mr. ELLSWORTH] and I now yield myself 5 minutes.

Mr. Speaker, House Resolution 256 makes in order H. R. 2321, a bill to protect the consumers and others against misbranding, false advertising, and false invoicing of fur products and furs. The bill is designed to protect the consumers and others from widespread abuses arising out of the frequent practice of the fur trade of using, in advertisements and otherwise, in a false and misleading manner, foreign animal names and glamorous, fictitious designations for furs and fur products. It requires further that when furs or fur products are advertised in such commerce or after having been shipped and received in such commerce, these vital facts be truthfully stated in the advertising.

The bill makes it unlawful and declares it an unfair and deceptive act

and practice within the meaning of the Federal Trade Commission Act to market in interstate or foreign commerce either furs or fur products which are not respectively invoiced and labeled to show the true name of the animal, and other factual information affecting the value of both furs and fur products.

The fur trade is a large and growing segment of American business. Latest available figures indicate that the American public is buying the output of this industry at the rate of \$500,000,000 a year. While furs are natural products, they are peculiarly susceptible to dyeing and other manipulations and processing which tend to change their appearance. Such manipulations are commonly undertaken for the purpose of simulating more expensive furs in appearance. This practice makes it easily possible for the purchasing public to be misled and deceived. This legislation will go far toward protecting consumers.

This bill was previously passed in the Eighty-first Congress, I believe, by a substantial majority. The rule provides for 1-hour general debate, to be equally divided between the majority and minority.

Mr. Speaker, I know of no objection to it, and I ask for its adoption.

Mr. ELLSWORTH. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, H. R. 2321 is, as the gentleman from New York has stated, quite similar, if not almost identical, to bills which have previously been reported to the House no less than three times. On one occasion the bill was actually passed by the House.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. I yield to the gentleman from Louisiana.

Mr. WILLIS. Have not significant amendments been offered to this bill making it quite unlike the bill adopted in the last Congress with reference to the simulation clause?

Mr. ELLSWORTH. I will say to the gentleman, I have not studied the bill meticulously along that line, but I am informed that the bill is substantially the same as previously reported. In general debate I am sure the gentleman's question can be completely answered.

I recall having been present during hearings on this bill in the previous Congress in the House Committee on Interstate and Foreign Commerce, and from that experience I am well aware of the need for legislation of this kind. I recall in those hearings we had a witness talking to us, giving testimony, and he mentioned a trade name "jungle mink raccoon." Upon questioning by the committee it was revealed that there was nothing with reference to the jungle in connection with that particular fur. So that part of the name was considered to be misleading. Then it was developed that the fur certainly did not come from mink or any member of the mink family, so that part of the trade name of that particular fur was ruled out. Then, of course, that left the word "raccoon," so one member of the committee said to the witness:

"Well, I assume then the fur is raccoon," whereupon the witness said:

"No, Congressman, as a matter of fact, the fur is rabbit."

That sort of thing has gone on in the fur trade for some time and I assume is still going on. Consumers are being misled when they purchase furs in many, many instances, so it seemed to the committee that it was high time to pass legislation to protect the consumer against misbranding and mislabeling.

As I recall it, the legitimate fur trade, the dealers in furs who are part of that industry and conduct their businesses entirely legitimately, have no objection to this legislation.

Further, may I say that the committee was unanimous in reporting this bill.

Therefore, Mr. Speaker, I urge the adoption of the rule.

Mr. Speaker, I yield to the gentleman from Kentucky for a unanimous-consent request.

Mr. GOLDEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. GOLDEN. Mr. Speaker, the Congress of the United States should at the present session do everything possible to make certain that we pass an amended and improved Railroad Retirement Act.

Mr. Speaker, I have the privilege and honor of representing a very large number of men and women who live in the Ninth Congressional District of Kentucky who are employees of railroad companies.

It is my duty as the representative and spokesman for this fine group of American citizens to represent their best interests in urging this present Congress to speed up its action on an amended railroad retirement bill so as to insure its enactment at the present session of Congress.

In order that the entire membership of the Congress may be well acquainted with the underlying facts which support a new act I wish to bring before you and urge your serious consideration of the following:

The first year I represented my people I made a very thorough study of the existing laws pertaining to the Railroad Retirement Act. For a period of 2 months, as time would permit, I tried to learn everything I could about the history and the practical application of the act which became a law in 1937, and also the amendments since that date.

It will first be remembered that this huge fund of money was created by the men themselves by taking a portion of their wages each month and setting it aside to build up a fund to guarantee to them and their dependents security when supplemented by an equal amount from their employers created the fund to which these men look for their annuities to assist their dependents in case they pass away, and to guarantee to them pensions and annuities when they retire. It should be well known by every Member of Congress that the payment of pensions and annuities does not come

from the taxpayers of America, but that the fund in reality belongs to these men and their dependents under the law of the Federal Government.

To begin with, I learned that over the years this fund had grown and accumulated as is set forth in this table.

Up to June 1938 collections from the men and railroad companies amounted to \$150,477,279, and from this fund there had been paid out in benefits \$87,169,151.

The following figures in this table give the amount of receipts and the payments made out of the fund for each year:

	Receipts	Payments
1939-39	\$109,256,540	\$107,131,478
1939-40	120,933,719	114,025,141
1940-41	133,942,076	121,799,293
1941-42	170,011,691	126,659,781
1942-43	208,794,892	130,863,977
1943-44	267,064,593	135,215,326
1944-45	285,037,862	149,527,642
1945-46	282,610,497	157,815,252
1946-47	280,057,125	173,101,153
1947-48	557,060,782	294,871,397
July 1948 to May 1949	424,523,001	258,558,872

At the end of May 1949, the balance in the retirement account over all expenditures was \$1,692,333 000.

After making this study and knowing that the cost of living had increased tremendously, I did, in the first year that I represented these people in Congress, and on June 6, 1949, introduced an amended Railroad Retirement Act, which was numbered H. R. 5005.

Throughout the balance of 1949-50 during the Eighty-first session of Congress I made many trips to visit and had many conferences with the chairman and other members of the Interstate and Foreign Commerce Committee, that has the right, power, and jurisdiction to hold hearings upon this subject, but during the Eighty-first Congress, of which I was a Member, we were not able to have hearings and bring out a bill.

When the people of my district saw fit to reelect me to the present Congress, the Eighty-second Congress, I made a further study of the money that has been accumulating in this railroad-retirement fund and I found that these following additional funds had accumulated since I introduced H. R. 5005 in June 1949. In the year 1948-49 there was collected \$563,832,724. There was paid out during this period, \$283,052,033.

During the 1949-50 fiscal year, there was collected \$550,173,200 and there was only paid out during this period \$301,452,273.

And in the last half of 1950, from July to December, there was collected \$282,895,350, and there was paid out \$156,777,765.

It will be noted that in recent years this fund has been increasing at the rate of more than \$200,000,000 per year over all expenditures.

The balance remaining in the fund on December 31, 1950, was \$2,369,008,240.

Being fully aware of the tremendous needs for additional benefits through this fund to the railroad men and women who had already retired and those would retire in the future, I made another study to get up some facts on

the increased cost of living since there was any material increase in payment of benefits from this fund. Beginning back in the year 1937, when the Railroad Retirement Act first became a law, I placed before my colleagues an index showing the increase in the price of the essential things that every family has to have. I am indebted to our colleague, Hon. JAMES E. VAN ZANDT, for this table and index:

Price index

	1937	1948	Nov. 15, 1950
Food	105.3	210.2	209.5
Apparel	102.8	108.0	155.0
Rent	100.9	117.4	125.4
Fuel, electricity, and refrigeration	100.2	133.9	143.7
Housefurnishings	104.3	195.8	202.3
Miscellaneous	101.0	149.9	160.5
All items	102.7	171.2	175.6

Armed with these facts and early in the present session of Congress, I introduced another bill seeking to reenact and to amend the Railroad Retirement Act, which is H. R. 2533, and was introduced by me on February 8, 1951.

It is my opinion that the great Committee on Interstate and Foreign Commerce of the House of Representatives is made up of sincere and learned members from both the Republican and Democratic side of the House. I do believe that they are deeply concerned and interested in bringing before this Congress the very best bill that the facts and circumstance and the solvency of the fund will permit.

After I introduced the above referred-to bill I talked to a great many other Congressmen, and I visited and talked with the Members who served upon this great Interstate and Foreign Commerce Committee. I found that there was keen interest in beneficial amendments, insofar as the strength of the fund would allow, and finally it was the decision of this committee to open hearings and to hear evidence on this vital subject and to my keen satisfaction this committee began to hold hearings on bills to amend and improve the Railroad Retirement Act on Monday morning, May 14, 1951.

The chairman and other members of this committee knew that I had a very large number of railroad men in my district, and they knew that I was vitally concerned with a bill to improve this law.

When this committee met in their very large and beautiful committee room, that is much larger than most circuit courtrooms in my home district, I went down before this committee, and I was shown the courtesy by the chairman and other members of the committee on both sides of being allowed to speak to this committee on the vital necessity of bringing out a new and improved Railroad Retirement Act. This committee room was packed with representatives of the great brotherhood organizations of America and quite a few Congressmen, who represented, as I do, large numbers of railroad men and women, and it was with a great deal of pleasure and satisfaction when I was called upon to give my ideas to this committee there, early

in the hearings, and, in fact, being the second man that was allowed to speak.

I do know that this committee has for more than a month now been hearing evidence and getting every pertinent fact possible looking toward bringing out the best bill that the financial strength of the present fund will permit.

The bill which I have introduced provides for a straight 25-percent increase in pensions and annuities to men and women who have retired and to those that will retire in the future, and it provides for increased protection and payments to the widows and dependent children of deceased railroad employees.

This committee has had the benefit of many scholars, students, accountants, and statisticians that have given much time to a study of the financial strength of this fund and the future payments that may be made from it. They are very seriously considering two plans, as I understand it. It seems to be the thought of many good men that are interested in this question that we may not be able to increase the payments as much as my bill provides, namely 25 percent, and the committee has made an exhaustive study of this question, and it appears that they are very seriously considering two plans—and maybe more—one of these plans would increase the payment to a retired annuitant by approximately 14 percent, and this plan would give in addition thereto considerable increases to the widow of a deceased employee and would also increase the benefits to dependent children.

The other plan being considered would give a 16-percent increase in the annuity and pension to retired employees only, but as I understand it, it does not provide for any increase for widows, except in a few cases.

I have received hundreds of letters from thoughtful, interested, sensible railroad men in my own district. I believe most of these letters mention the fact that they would like to have more protection for their widows in case they should die. My bill provides for this, and it provides for many improvements.

Considering the fact that the present Congress must pass upon many bills of Nation-wide importance and many that affect the entire world, in our efforts to build up the defenses of this country and to secure it against the onward rush of the Communist dictators, it is perfectly apparent to me that if we secure the passage of a good, beneficial railroad retirement act at the present session of Congress, we shall all be required to work together, get this bill out of committee as soon as possible, and seek an opportunity to bring it before the membership of the Congress for public debate.

I think I know, from talking with members of this fine committee, that they are bending every effort to do just that thing, and it is my confident hope that they will report a bill out in the very near future, and I call upon my colleagues in the Congress to acquaint themselves with the great need for improving the annuities, pensions, and payments under the Railroad Retirement Act, so that when this bill is brought be-

fore us for debate that we can discuss it fully, debate the various provisions and amendments and arrive at a decision that will give to the people whom we represent the very best increases possible, yet at the same time making sure that we leave this fund solvent and strong.

I urge all Members of Congress to make a sincere study of this question and to be ready to participate in the debates on this bill and to vote wisely and conscientiously upon a greatly improved and expanded railroad retirement bill.

Mr. DELANEY. Mr. Speaker, there being no further requests for time, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. BECKWORTH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2321) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 2321, with Mr. THOMPSON of Texas in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BECKWORTH. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, as has been indicated, the bill we bring before the committee today is not strange, new, and different legislation. We have had this bill before us at least twice before. This kind of legislation is not without precedent, insofar as the action of the House Committee on Interstate and Foreign Commerce is concerned. Several years ago we passed the wool labeling bill, which did in regard to wool and woolen products substantially what this bill does in regard to fur.

We had much testimony in two preceding Congresses before we brought the bill to the floor. In order to be fair and in order to give everybody an opportunity to be heard who wished to be heard, we again held hearings on this legislation this session. As has been indicated, after hearing the considerable testimony for a third time, the House Committee on Interstate and Foreign Commerce unanimously reported this bill. Its purpose simply is to give to the consuming public that purchase furs the opportunity to know what they are buying.

Our colleague on the committee, one who has worked on this subject from the beginning and who is the author of the bill, is a real authority, in my opinion, on the problems that are involved. It is not my purpose to take any more time, because I know that the gentleman from Minnesota [Mr. O'HARA] will give a very ample explanation of the provisions of the bill.

Mr. O'HARA. Mr. Chairman, I yield myself 10 minutes, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. O'HARA. Mr. Chairman, as those who have previously spoken on the bill and who have given you a general outline of it have said, it is true that this legislation is patterned after the so-called truth-in-wool bill which was passed in 1939 by this Congress.

LEGISLATIVE HISTORY

The fur-labeling bill was introduced by me in the Eightieth Congress—H. R. 3734. Hearings were held on this bill by the Committee on Interstate and Foreign Commerce on April 6 and 7, 1948. The bill was reported favorably with amendments by the committee, but in the rush of the close of the session, it was not possible to obtain passage.

During the Eighty-first Congress, new fur labeling bills were introduced by Mr. Sadowski and myself. Hearings were held on these two bills by the committee on May 11, 12, and 13, 1949. As a result of these hearings, a clean bill—H. R. 5187—was introduced by me. It was reported favorably by the Committee on Interstate and Foreign Commerce—House Report No. 919, Eighty-first Congress. H. R. 5187 passed the House on July 14, 1949. Hearings were held in the Senate on this, and it was reported favorably by the Senate Committee on Interstate and Foreign Commerce. No legislative action was taken thereafter.

The present legislation was reported by the Committee on Interstate and Foreign Commerce of the House, and a rule was granted last week by the Rules Committee. The above history shows the action of the committees in reporting the legislation, and in the instance of the last session of Congress when the legislation was debated and passed out of committee, shows the action of the House of Representatives was unanimous in favor of this legislation.

I realize that the older members of the committee are fully familiar with the bill which has been twice unanimously reported out of this committee, and as the chairman has indicated, it passed the House and a similar intended bill has already been reported out of the Senate Committee on Interstate and Foreign Commerce.

Mr. Chairman, I appreciate that the will of the committee will be worked out upon whatever type of legislation I am urging the passage of.

H. R. 2321 is the identical bill reported out of this committee which was given a rule unanimously by the Rules Committee and passed the House after a full debate in the Eighty-first Congress, without any dissenting votes.

I believe there were two small, clarifying amendments included in that legislation which were adopted upon the floor of the House, one by my colleague Mr. Wilson, of Oklahoma, and one by myself, which amendments appear in the bill.

The bill is primarily designed, Mr. Chairman, to protect consumers from the practice of at least part of the fur trade, of using false or misleading statements in advertisements, of foreign ani-

mal names and glamorous, fictitious names for furs and fur products.

Furs are particularly susceptible to dyeing and processing, which tends to change their appearance. The manufacturing industry—and it is a compliment to them—are so successful that they can dye, color, and change a fur, such as rabbit fur, to resemble a far more expensive fur. This imitation, coupled with misleading and flamboyant statements in advertising, makes it easily possible for the purchasing public to be misled and deceived.

In hearings before the committee, a great deal of testimony was received on these abuses. The record of the House hearings speaks for itself, but I should like to give you a few examples of names under which rabbit coats have been sold to the public.

Beaverett. There is no such animal. But the name is very close to beaver, and the purchaser might well believe he was getting some kind of a beaver's relative, when it is actually rabbit.

Ermiline. There is no such animal in existence, but the name is suggestive of ermine, which is an expensive fur. An ignorant purchaser might think he is buying ermine when he is buying ermiline.

Lapin is the name of another fur coat. That is the French name for rabbit.

Other names are Hudseal, mink coney, and sealine. All of them are rabbit furs.

Muskrat has been described as Hudson seal, diver sable, and water mink.

I could go on for a long time. Any of the Members who are interested in additional examples might have a look at the list of them set forth on page 70 of the hearings in the House. This list gives the designations used, the correct name of the fur, and the name and date of the publications in which the advertiser used such designation.

Filed in the committee there are a number of photostatic copies of original advertisements taken from all over the country with these flamboyant, misleading, and deceptive terms in the advertising.

The Federal Trade Commission has endeavored to correct some of these practices. However, these practices are so widespread that enforcement by the Federal Trade Commission, through its normal processes, is exceedingly difficult. Furthermore, such practices are engaged in frequently by retailers, who are beyond the reach of the Commission because they are engaged in intrastate rather than interstate commerce. Therefore, specific legislation on this subject is considered necessary.

The remedy suggested in this bill is the mandatory invoicing of furs and the mandatory labeling of fur products moving in interstate or foreign commerce under the usual name of the animal that produced the fur.

Let me say, Mr. Chairman, in that connection there were two changes, I believe, which were made by the House committee. The original bill which was introduced—and there were several—it has been written and rewritten in an attempt to meet some of the legitimate claims of the industry.

I want to say that we had a provision in there which provided that if the fur product was made from a foreign animal the label should show that. The other provision was that if it was changed and given some fictitious name to represent some other animal than it was that it should show that it was processed to imitate.

The subcommittee and the Eighty-first Congress adopted the language "proceed to simulate." Now, the industry probably felt that "imitate" was a stigma. The committee went along with the subcommittee and agreed with them.

I am not arguing particularly about that, but I do feel that with reference to the provision as to whether it was made of a foreign fur should still be in the law. But it was not in the bill as reported by the subcommittee of either committee.

In addition, the label or advertisement is to set forth other information vital to the consumer, such as, first, whether the garment contains used fur; second, whether the fur is dyed or bleached; and, third, whether the product is composed of waste fur or other inferior parts of the pelt.

There is an excellent precedent for the kind of informative labeling proposed in this bill. As some of the Members may well recall, in 1939 Congress passed the Wool Products Labeling Act. This act, which was reported by the Committee on Interstate and Foreign Commerce, requires disclosure of the wool contents of a fabric or article. The act is also known as the Truth in Fabric Act.

The Wool and Products Labeling Act, while vigorously opposed at the time by many segments of the trade, is today recognized as an outstanding piece of consumers' protective legislation.

The Interstate and Foreign Commerce Committee and the House of Representatives have indicated that they feel that similar protection is required for the purchasers of furs and fur products.

In other words, Mr. Chairman, I do not think there is a single person today who raises his voice and says that the Wool Products Labeling Act should be changed or repealed or modified one iota.

Now, if that is the truth-in-wool act, then this should be known as the truth-in-fur act, because it has identically the same purpose as the Wool Labeling Act.

The fur-products labeling bill, like the Wool Products Labeling Act, would be administered by the Federal Trade Commission. The enforcement provisions of the fur-labeling bill closely follow those of the Wool Products Labeling Act.

The Commission may issue cease-and-desist orders and, wherever necessary, may report to condemnation and injunctive proceedings. A criminal penalty is also provided for willful violations of the provisions of the act.

Of course, Mr. Chairman, that has to be reported to the Attorney General for action.

The bill further directs the Federal Trade Commission to set up a register of names to be known as the "fur-products name guide." This guide would set forth the true English names of fur-bearing animals, or, in the absence of

such a name, the name by which such animal can be properly identified in the United States. In order to correctly describe on the label or in the advertisement the name of the animal that produced the fur, the manufacturer would have to use the name set forth for such animal in the fur-products name guide.

The use of the name of an animal other than the animal that produced the fur is allowed only if the name of such animal is preceded by the words "processed to simulate." This may sound complicated. However, it is quite simple.

A bad practice has grown up the fur industry of advertising muskrats, for example, as mink-blended muskrat. Of course, they cannot blend two different types of furs. That cannot be done, as I understand it from the gentlemen who are experts on this matter, but what they are doing is to give it, of course, the connotation of adjectively mink blinded so as to create the impression that it is mink, at least partly mink. What that conveys to the consumer, I am not quite sure. I am reasonably sure, however, that it is, to say the least, confusing to the consumer.

If the bill is enacted, such muskrat coat would either have to be advertised and labeled purely and simply as a muskrat coat or, if the manufacturer or retailer insists on using the word "mink" in connection with muskrat, he would have to advertise or label the coat as "muskrat processed to simulate mink." In this way, the consumer will be absolutely certain as to what he is getting.

To summarize this all briefly:

The abuses which this bill aims to cure are very widespread. Attempts to eliminate these abuses under the Federal Trade Commission Act itself have failed. The Interstate and Foreign Commerce Committee of the House was unanimous in the belief that legislation is required to protect consumers of furs and fur products, and that in this case the pattern set so successfully by the Wool Products Labeling Act should be followed.

The effect of this bill will be to require honest, fair labeling, and honest advertising, and will afford protection of a very substantial character, not only to the buying public but also to the industry and trades engaged in the fur business.

Certainly I would be the first to state that many of those engaged in this industry are honorable, high-type people. There is also the other type who are out to deceive the public and to mislead them. This legislation is imperative to make it possible to adequately reach the evils in question.

I am reliably informed by some of the expert processors that even many of the buyers and operators of high-class stores themselves are inexpert in judging furs which are sold to them, which means that these honorable dealers are the victims of fraud which they innocently pass on to the general public.

As one instance of that, Mr. Chairman, the CONGRESSIONAL RECORD will show one of the Members of Congress during the debate on this bill told of going and buy-

ing what he thought was an ermine coat. When he had it a few days, of course, or a short time, he realized that it was not a fur coat. It was rabbit, and the merchant who sold it to him was just as much deceived as was the gentleman who bought the coat.

The practice of taking some cheap fur and giving it a high-sounding name, implying that it comes from some northern climate, and with flamboyant titles which indicate that the fur is something which it is not, is the rankest kind of fraud.

People generally have the impression that the better furs come from the northern climates. That is not necessarily true. Excellent furs are produced in the southern climates, such as Louisiana, Maryland, and Virginia.

It is also true that many furs are advertised as coming from some foreign land and are sold on the basis that they are long-wearing and a very fine fur, when, as a matter of fact, some of these highly advertised fur coats are not as long-wearing as some of the furs produced in this country.

I am particularly thinking, Mr. Chairman and members of the committee, of the muskrat coat. The muskrat coat is probably, as I understand from the fur industry, as fine a product for the money as a person could buy, for both wearing ability and wearing qualities, and colors.

The industry itself has many problems, and this bill has been written and rewritten in order to remove what would be an undue harassment to the industry.

As an illustration, I am reliably informed that one of the representatives of a large fur-manufacturing group in the city of New York had appealed for advice to the Federal Trade Commission, dealing with the action of certain buyers, who after negotiating for the purchase of a number of fur coats made of wombat, which is a sort of ground squirrel, insisted that the coats be invoiced to them as Russian weasel instead of wombat, and would not take the coats unless they were so invoiced by these dealers. Now, Russian weasel would be a false name, as these other animals are a type of ground squirrel and are not of the weasel family and, further, are not as valuable or as long-wearing fur. From this you can see what the decent industry is up against in these negotiations in the give-and-take of the fur trade.

Now, I realize that many of these gentlemen who are here opposing this bill have continuously opposed it from the first hearing on to the last. I presume they will continue to oppose it. Personally, I have tried to meet with the industry whenever they have asked for it. I have tried to work these matters out to have a fair and a good bill.

These gentlemen will claim that there is no consumer demand for this type of legislation. Now, I have quite a file of letters, and I should like to read into the RECORD two letters which I have received, Mr. Chairman, which are illustrative of the need of this type of legislation.

The first one is a letter which I received shortly after this bill passed the House, from New Orleans, La. I inserted it in the CONGRESSIONAL RECORD. It is dated July 18, page 84807, which reads as follows:

Congressman O'HARA, of Minnesota.

DEAR SIR: Enclosed is a page of the Louisiana Retailers' Bulletin which you will be interested in reading. It represents the opinion of one man.

Thousands of retailers are in favor of your bill to require more labeling of furs.

Customers, as you probably know, have been getting gypped for years by the crooks in the fur business. In the trade they say: "It is a skin game in more ways than one."

The hundreds of prosecutions in the files of the Federal Trade Commission will show how necessary your bill is.

You know that there are more than 150 trade names for rabbit skin alone, including Baltic lion. Women absolutely do not know what these trade names mean. They do not know that Chinese wool, for example, is plain old dog.

Not one woman in a thousand knows that a marmink is a ground hog dyed to look like a mink. Northern seal, I know has frequently been sold as genuine seal, although it is clipped rabbit dyed black.

The very best of luck to you, and God bless you for introducing that bill. The public will be grateful.

Mr. Chairman, another type of letter which I received is the following: It is dated August 15, 1948, and is from Cicero, Ill.:

DEAR MR. O'HARA: I have just finished reading your article in the August issue of the American magazine, and I wish I would have known some of the things I read there 3½ years ago.

When I was 18, I managed to save \$350 to buy my first fur coat. It was in August. When I passed this fur store in the neighborhood, I saw this beautiful gray fur coat in the window. That was my coat. Everyone that passed stopped and looked and admired it. I went in and tried it on, and it looked even more beautiful on, and it was just \$300.

These people did seem quite anxious to sell the coat. At the time I thought they only realized my enthusiasm and wanted me to be happy. They assured me I would never see another fur coat like it, which was true. I never saw another one there except in this store. Well, I got my coat around Christmas, and I was so happy with it until I noticed every time I moved it the fur flew out all round like a cloud of smoke. Soon little bald spots appeared. I called up the store salesman, and he reassured me all new fur coats did that, and they would fix it with the first cleaning.

I guess I forgot to mention my coat is a chinchillite, or Russian lamb, or supposed to be.

Well, then, I was satisfied for a while. This loosening of fur kept on, and then the coat got such an awful odor it was unbearable. People would look at me and actually move away in the theater. My entire closet was unbearable, and other clothing acquired the odor.

When I was disgusted and took the coat back, he told me that all coats smelled like that, and would not give me any satisfaction. Finally, after enough complaint, he said he would have a new coat made for me, but the same kind, which he did.

This lasted just 3 weeks when the same thing happened, only in this coat the fur turned a sick-green color. He would no longer have anything more to do with me and told me I spilled something on the coat to make it green. Here I am stuck with this

coat. When I went to have it put in storage, no one would accept it or clean it because of the condition, odor, and color. I don't know when I will ever be able to afford another fur coat; but believe me, when I do, I will investigate the people I buy from first.

Mr. O'HARA, if there is anything you could do to save people from having this happen, I think it would be the most wonderful thing in the world.

Mr. Chairman, with most people who go to buy a fur coat, whether it is the chairman of this committee or myself, or some poor girl who has probably cheated herself out of the necessary food to buy the garment which she wants—and, of course, a fur coat is as much desired, I presume, by a girl or a young woman or a woman as to us, as a young man, an automobile was—they are both major investments.

The public knows nothing about these furs. I would not any more pretend to know what a fur coat was made of, without some expert to advise me—I would have to depend on them; and the average person is the same way; they know nothing about furs.

As a result—and I say this with all deference to the decent, honest people who are in the fur industry, who tell you exactly what you are getting, approximately how long it will wear, and how to take care of it, as compared with the other element who are in a racket—they are trying to cheat and take the public, and have done a beautiful job of it for a number of years. And I think, Mr. Chairman, it is time that the Congress legislate on this, so that it is a protection not only to the public but to the decent people in the industry.

And I should think that some of them would come in and testify—and I am sorry to say that they have not. I have some letters which I might read, from the industry, one or two. They are limited and they say "We need this." I am informed that the decent people in the industry do not want to come up here and testify against some of their brothers in the same industry.

This bill likewise is for consumer protection, and grows out of the fact that because of the rather flamboyant advertising and the treatment by at least part of the industry a great deal is done in the way of fraud and deception on the buying public, the greater part of whom are completely innocent and have no experience in the buying of furs.

It is customary in the use of these terms to describe the fur after it has been processed into something that is of more expensive nature than the animal which is actually used in the coat or fur product that is sold or so as to give the impression either that it comes from the north country, which is supposed to add to the quality of the fur, or that the trade name that is used indicates that it is a product which comes from the north country. As a matter of fact, those who know something about furs know that oftentimes excellent furs of various kinds, such as the Louisiana muskrat, and furs from other animals which are domesticated and raised in some of the southern States, are equally as good furs, and sometimes even better than those

from some of the same animals which are reared in the North.

I am not mentioning Louisiana to disturb my friends from that State because I know of their great concern in this matter. But I do want to say this bill deals with a subject on which the Committee on Interstate and Foreign Commerce has had full hearings. This year we had four rather full days of hearings. In the bill which was reported out in the Eighty-first Congress which included the terminology which my friend, the gentleman from Louisiana, is concerned about, the subcommittee included language in an attempt to satisfy the fur manufacturers and processors and those in the retail trade who are opposed to this legislation.

They used the words "processed to simulate." They did that, as some of my colleagues know who served on the subcommittee, in an effort to satisfy the industry. However, there is nothing that will satisfy the industry or at least that part of it that is opposing this legislation. They simply do not want any legislation at all. They frankly admit there is fraud and deception in the selling and advertising of fur products, but they say they hope it will be cleaned up. It has been a long time since they have been hoping that, and now it is the unanimous feeling of the committee that has had extensive and exhaustive hearings on this bill on three occasions that there is nothing left to be done but to legislate in order to protect the public.

I yield to my friend, the gentleman from Louisiana.

Mr. WILLIS. The gentleman has pointed out the amendment that I referred to a while ago. In the bill which was voted on favorably in the House last year, there was a clause to the effect that a fur could be labeled mink or simulated fox or processed simulated fox, and so on. That simulation or imitation clause which was in the bill last year is quite common, is it not, in the general Pure Food and Drug Act, where for instance such words are used as "extracts" and "flavorings" and "imitation flavoring" and "imitation extracts" and stones imitating diamonds, and so on.

This bill is much more restrictive than any other law on the books with regard to false advertising and is very much more restrictive than the bill acted on last year; is that not so?

Mr. O'HARA. It does eliminate in the invoicing, advertising, and sale the words "processed to simulate." When the bill was before the subcommittee for a hearing during the Eighty-first Congress there was some suggestion about using the word "imitated" or "processed to imitate." The industry has strongly objected to that term so the subcommittee then in an attempt to satisfy those in the industry who objected to it, accepted the language which was suggested by its proponents in the industry and inserted the clause "processed to simulate."

Well, I just do not know how many people would know what "simulate" means. I think the word "imitation" is very plain. But the Federal Trade Commission feels very strongly on that. You

can see what would happen if we left this clause in.

The person selling the fur would have to have the word "rabbit" on it, if it was rabbit; and also he would have to put on the label the words "processed to simulate" mink, or muskrat, or whatever it might be. Of course he might have the word "rabbit" in very, very small letters and then this other clause "processed to simulate" in small letters, and then have the word "mink" or "muskrat" or "raccoon" or whatever it might be in large letters. That would just be opening the door to further deceit and fraud on the public. If it is obvious from the nature of the article that it can be simulated or processed to resemble anything, he still has to call it rabbit, and the lady or gentleman who is buying that particular fur product is going to know that he or she is buying a certain product.

Amazingly, as my friend, the gentleman from Texas, knows, the greatest importation into this country of skins and furs is of rabbit skins, which is a cheap fur subject to processing and it is processed to resemble many of the finer furs, but of course it will not wear nearly as long or last as long as many of the other furs that it is processed to imitate.

I believe the gentleman from Louisiana had some question to ask. I yield to the gentleman.

Mr. WILLIS. In this matter of uniformity of language, what about the general law permitting the use of imitation flavoring extracts and other things under the Pure Food and Drug law? For instance, you might have a gelatin imitation of fig preserves imitated to taste like figs, or you might have an imitation strawberry jam that contains a certain part of strawberries, and so on. There is a breaking point and a fair permission to trade fairly by the use of the word "imitation." Let me say, however, that this statute is much broader than what we have on the books under the Pure Food and Drug laws, and those laws have worked out well.

Mr. O'HARA. Under the Pure Food and Drug Act the requirement is that the thing which is being sold, if it is to imitate, has to carry in sufficiently large type the statement that it is an imitation of sugar or whatever product it is, and that is permissible. But there are very strict about it in the way it is sold. I think there is an entirely different situation, let me say to the gentleman from Louisiana, in the matter of furs; I think it is quite obvious when a fur has been treated to imitate something else than it appears so on the surface.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I must yield first to the gentleman from Louisiana [Mr. LARCADE], who has been on his feet for some time. I will then yield to the gentlewoman from Illinois.

Mr. LARCADE. I wish to ask the gentleman two questions. It may not be generally known that the State of Louisiana is the largest fur-producing State in the Union. I happen to represent the district that produces more furs than any other district in the State of Louisi-

ana, principally muskrat. I know the gentleman from Minnesota knows this, but I should like to ask two questions: First, I want the RECORD to show that this bill is not aimed at the trappers or producers of fur.

Mr. O'HARA. Not at all. It should be most helpful to them.

Mr. LARCADE. That is correct.

Mr. O'HARA. That is correct.

Mr. LARCADE. Second, the domestic industry will be protected under the provisions of this bill against the importation of furs from foreign countries, say from China or Russia.

Mr. O'HARA. No, this bill will not prevent the importation of furs from abroad, but when they are shipped in they must be properly labeled, and if dog is shipped in it must not be labeled Baltic lion, or some other flamboyant attractive name.

Mr. LARCADE. That is what I mean; domestic producers will be protected by the bill to that extent.

Mr. O'HARA. The gentleman is correct; it will protect the fur industry as I hope it will the trappers and fur farmers of the United States.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield briefly?

Mr. O'HARA. I yield.

Mrs. CHURCH. I wish to congratulate the gentleman on his bill and its purpose, but I would like to ask a question. Page 14 (b) (1) reads:

Whenever the Commission has reason to believe that any person is violating or is about to violate sections 3, 6, or 10 (b) of this act.

What is the gentleman's interpretation of the words "about to violate"? How could that fact be arrived at and what would be the penalty?

Mr. O'HARA. I suppose that is where it is obvious to those who are charged with the enforcement of this act that somebody is getting into a situation where they are violating the law. It permits a cease-and-desist order to be obtained by the Federal Trade Commission to prevent the deception upon the public. It was a suggestion, let me say to the gentlewoman from Illinois, of the Federal Trade Commission itself from their experience in dealing with this subject in the enforcement of the truth-in-wool-labeling bill.

Mrs. CHURCH. Does this bill affect the situation arising from fraudulent advertising?

Mr. O'HARA. Yes.

Mr. BECKWORTH. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. BECKWORTH. The Pure Food and Drug Law has been mentioned, and how it works; is it not one of the fundamentals of the Pure Food and Drug Law that insofar as possible the food, for example, must bear the name that will be best understood by the purchasing public?

Mr. O'HARA. That is correct.

Mr. BECKWORTH. So that there can be no deception. I remember very distinctly in regard to the question of trying to rename dry skim milk. One of the important fundamentals that was often made known to our committee was

that it must be so labeled that the average person purchasing it would know what he was buying. That is exactly what this legislation has as its purpose, that the purchasing individual may know exactly what he is getting hold of in the way of a skin.

Mr. O'HARA. The gentleman is entirely correct.

Mr. WIER. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Minnesota.

Mr. WIER. I want to test my colleague's knowledge of just how far-reaching this bill is, having had some knowledge of the fur business. I want to ask the gentleman if he ever saw a fur coat with a trade label on or advertised for sale as rabbit?

Mr. O'HARA. Let me say to the gentleman in all candor I am not an expert furrier in any sense. I have only had one experience in buying a fur coat, and that was for my wife. I definitely was not interested in buying rabbit, so I cannot say that I ever had any experience in that regard.

Mr. WIER. For the gentleman's information, out of the experience I have had, on the fur market, at least up until the time I came to this body, I know of 14 different trade names out of the fur industry in which the same rabbit would have applied and the price for that finished coat out of the same rabbit varied from \$50 to \$350 by the process of the finishing and the ability to transform that fur into a limitation of about seven animals from the northland.

Now, then, with regard to muskrat that has been mentioned here, in the field of finishing muskrat there is on the fur market today at least eight trade names on finished fur coats and they all come from the same muskrat. The price will vary proportionately, due, of course, to the finishing and the label of the product. I say very sincerely in the interest of people who like to be flashy and dressy and have a well-paid-for coat, that in the fur industry in the main you will find the greatest number of coats sold come from muskrat or rabbit.

Mr. O'HARA. I thank the gentleman and I admit his qualifications as an expert.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. My experience in the fur-coat business is limited, as is that of the gentleman from Minnesota. That rabbit the gentleman from Minnesota has been talking about must have been a big one.

Mr. ELLSWORTH. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Oregon.

Mr. ELLSWORTH. At several places in the bill the term "advertising" is used, for example on page 5, "Any person introducing, selling, advertising, or offering for sale." Standing by itself I am wondering if it may not be interpreted as applying to the advertising medium? I feel certain that the intent of the com-

mittee was not to charge a newspaper or a magazine publisher or a radio station with having knowledge of the product which an advertiser seeks to advertise.

Mr. O'HARA. The legislative intent of this bill is as the gentleman has stated. There is absolutely no intention in this bill to charge responsibility to the advertising medium, whether it be the radio station or newspaper.

Mr. ELLSWORTH. Speaking as a member of the committee and as the author of the bill, it was never our intention, and it is not the intention of the bill, to refer by using the term "advertising" in the bill to the advertising medium. The responsibility is on the person who seeks to do the advertising and no one else.

Mr. O'HARA. Let me say that it is the intention not in any way in this bill to create any liability against the advertising medium.

Mr. HALE. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Maine.

Mr. HALE. I wanted to call the attention of the gentleman from Minnesota to the fact that the schedule on page 73 of the hearings shows that dyed rabbit appears under no less than 35 different trade names. So rabbit is the most versatile of all animals.

Mr. O'HARA. I was going to comment on the statement made by the gentleman from Minnesota [Mr. WIER], that I thought there were nearly 100 of them somewhere in the record. Maybe it was 35.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Michigan.

Mr. DONDERO. After listening to the discussion by the gentleman from Minnesota and also the gentleman from Louisiana as to muskrat and rabbit and the different gradings, can the gentleman give the House any information on the different grades of mink?

Mr. O'HARA. There was a statement made here that I am some sort of an expert. I am not. Of course, in any fur, let me say to the gentleman, one of the most valuable things you have is a good skin. In other words, you might have a poor muskrat skin and it would make a poor muskrat coat, or a poor mink skin and it would make a poor mink coat. The importance lies in the grading.

Mr. NELSON. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Maine.

Mr. NELSON. Is it the gentleman's understanding that section 3 of the bill, on page 4, permits a retailer to remove a manufacturer's label and substitute his own, as long as it is properly marked?

Mr. O'HARA. It is specifically in there for that purpose, and it was one of the principal objections when that provision was not in the bill by the retail level. It is a perfectly good argument, and it is so provided, let me say to my colleague.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Louisiana.

Mr. WILLIS. I was on my feet and intended to suggest the same thought as did the gentleman from Michigan [Mr. DONDERO] and the gentleman from Minnesota [Mr. WIER], who said that the specie of muskrat might come in four or five different prices, and he said in an undertone as though it was being palmed off. I am sure the gentleman does not so intend. Shoes are made out of cowhide, all of them, or most of them, but they command different prices, as is also true of mink and ermine, and I hope it was not intended to leave in the record that thought, because the design, the use of the animal, the size, the age, and so on, all these things affect the price. I hope the gentleman will concede that to be so.

Mr. O'HARA. The gentleman is completely right about that.

Mr. BECKWORTH. Mr. Chairman, we have no further requests for time.

Mr. O'HARA. Mr. Chairman, I yield 3 minutes to the gentleman from Iowa [Mr. DOLLIVER].

Mr. DOLLIVER. Mr. Chairman, I rise in support of this legislation. So far as I have learned from the discussion thus far, there is no real opposition to the fundamental principle of this legislation, namely, that the public should be protected by truth in fur labeling. This bill has had the consideration of two or three Congresses and at one time actually passed the House.

The legislation is not a partisan issue in any sense. It has had exhaustive consideration by the Commerce Committee of the House. I was a member of the subcommittee which considered this legislation. We heard all segments of the industry, the producers, the processors, the manufacturers, and the retailers. saw numerous exhibits of the abuses to which the fur industry is now subject by reason of the fact that there is no limitation apparently, no legal limitation certainly, upon the facts about what the fur coats are made of.

This House would be astounded, even appalled, at some of the misrepresentations which were disclosed before our committee, both in advertising and in labeling. This is, perhaps, not an earth-shaking or destiny-making proposition, but it does do something for one segment of our great economy in this country. It provides that the small minority of those who are engaged in the fur trade shall be brought into line and required to tell the truth as to what their product is. That is the purpose of this legislation.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. DOLLIVER. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. The question was asked a moment ago as to whether or not a retailer would have the right to remove a label and substitute one of his own. I believe the gentleman from Minnesota [Mr. O'HARA] said that that was true. Does the gentleman know what part of this bill would authorize the retailer, as he received the product, to remove the label and substitute one of his own, which may in truth or in fact tell what the true contents of that article is?

Mr. DOLLIVER. I think that will be found in subsection (e) on page 5.

Mr. ROGERS of Colorado. On page 5, subsection (e) states:

Any person introducing, selling, advertising, or offering for sale, in commerce, or processing for commerce, a fur product, may substitute for the label affixed to such product pursuant to section 4 of this act—

Is that the authority the gentleman says gives the retailer the power to take out one label and substitute another?

Mr. DOLLIVER. My answer is in the affirmative, but he must substitute a label which reveals the kind of fur it is.

Mr. O'HARA. If the gentleman will yield, may I suggest to the gentleman that in virtually every case it would be in commerce. I would suggest that the authorization would have to be in commerce.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. DOLLIVER. I yield to the gentleman from Louisiana.

Mr. WILLIS. What is the effective date of this act? I have in mind the position of dealers who have large stocks of furs, fur parts, and overcoats on hand. Are they going to be subject to the sanctions of this statute?

Mr. DOLLIVER. The effective date is one year after its enactment.

Mr. WILLIS. Suppose one has a stock on hand that is going to last him 5 years. Then is he going to be a law violator, when he bought the merchandise in good faith?

Mr. DOLLIVER. I think our testimony shows that probably 1 year would satisfy the requirements of the trade.

Mr. O'HARA. Mr. Chairman, I yield myself 1 minute to answer specifically the question of the gentleman from Louisiana. Section 7 provides the Name Guide is brought out in 6 months by the Federal Trade Commission under this bill. Under section 14 the act does not take effect until 1 year after its passage, except for section 7.

Mr. ROGERS of Colorado. If the gentleman will yield, do I correctly understand in connection with the answer that was given a moment ago as to section 3 (e) that this would cover the question of what is in commerce, and that the interpretation the gentleman places upon it is that anything that may have been shipped in commerce and brought to an end you still have jurisdiction over so far as this act is concerned?

Mr. O'HARA. The gentleman is correct.

Mr. BECKWORTH. Mr. Chairman, I yield 5 minutes of my time to the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA. Mr. Chairman, I yield 1 minute to my colleague from New Jersey [Mr. CANFIELD].

Mr. CANFIELD. Mr. Chairman, this is a bill to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs. It is a good bill and I support it. I am certain, however, that the sponsor of the measure and his colleagues on the House Committee on Interstate and Foreign Commerce are aware of the fact that there are other articles that are

being imported and sold to the public as things they are not.

I have in mind the thousands of foreign sewing machines that are now coming into our country from abroad, sewing machines that are not properly marked as to indicate the country of origin, others that are so marked that the markings can readily be concealed through the placement of other parts or attachments, some whose markings are here covered by plates or labels bearing well known American names, all calculated to defraud a too-often gullible buyer.

There is domiciled in Passaic, N. J., in my congressional district, a red-blooded veteran of World War II, who has been making his living through a store in which he retails sewing machines of American make. Months ago he sensed the threat to his business and he began a one-man crusade, frequently taking him to Washington and other parts of the country, in an effort to force proper foreign markings on imported machines and to stop fraudulent advertising of the same. He came to me and I had him meet with representatives of the Federal Trade and Tariff Commissions, the Bureau of Customs. He had the goods, the proof, and all who heard him and saw his exhibits, admitted this. Several cases were instituted by Federal Trade and it is now expected final action will be had shortly. Meanwhile, I have introduced a bill which, I hope, will have the early consideration of the committee now bringing the fur measure before us. This would require foreign markings that cannot be concealed by any operations on this side.

Several times during my constituent's crusade, even while he was exercising his American right of petition, he has had phone calls, usually in the nighttime, from unknown parties threatening to blow his brains out if he did not cease mixing in this foreign import business. Nine days ago my constituent was criminally assaulted in his home city shortly after he had closed his store at night. Red pepper was doused into his eyes and he was taken to a local hospital for treatment. Doctors say he will be required to take frequent eye baths and wear dark glasses for many weeks.

The case has given me much concern and while the Federal Bureau of Investigation does not seem to have any jurisdiction I know the Bureau has looked into the case and it is distinctly my intention to bring my constituent before the Senate Crime Committee if there is any more of this hoodlum stuff. It is possible that the committee might find a new type of racket threatening the future of many American businessmen and workers.

I do hope that the committee will give consideration to my bill and the plight of others, manufacturers, retailers, and consumers, injured by these fraudulent and nefarious undertakings.

Mr. WIER. Mr. Chairman, will the gentleman from Minnesota yield for a question?

Mr. O'HARA. I yield.

Mr. WIER. I think it ought to be clear to the House that this bill will not

entirely eliminate the problem in our major cities, whether it is Milwaukee, Minneapolis, or Omaha, Neb., or Denver, Colo., where there is a manufacturer making the garments within his own shop and selling them on the local market. He is not necessarily covered by this legislation, is he?

Mr. O'HARA. If the fur product itself is raised and processed within the State and is not transported in interstate commerce, the gentleman's comment is correct.

Mr. YATES. Mr. Chairman, will the gentleman yield for a question?

Mr. O'HARA. I yield.

Mr. YATES. I call the gentleman's attention to section (c) appearing on page 12, wherein it is stated:

The Commission is authorized to cause inspections, analyses, tests, and examinations—

In the event some furs are picked up for the purpose of making examination, is the person who owns such furs compensated in any way for them?

Mr. O'HARA. I would think so. I do not think the Government would have any right to confiscate those furs, except under authority of a prosecution. But if it is for the purpose of making tests, certainly they would either have to be returned in substantially the same condition as when they were taken, or there should be a responsibility on the Government to compensate the owner of the furs for the value of them.

Mr. YATES. Is there provision for such reparation in the bill at any point?

Mr. O'HARA. No; there is not.

Mr. YATES. But it is the intention of the committee, in the event that is done and a loss is suffered without fault on the part of the vendor, that proper reparation be made by the Government to the vendor?

Mr. O'HARA. I think that would be no more than absolute simple justice. Reparation should be made.

Mr. YATES. That would be true, as well, with respect to section 9 appearing on page 13, where proceedings are started against furs, condemning such furs, and in the event there is deterioration and a not-guilty verdict is returned, should not the Government compensate for any loss occurring there as well?

Mr. O'HARA. I will say frankly to the gentleman that question did not occur to me or to any member of the committee or any witness that I know of when the matter was under discussion and neither did any of the many witnesses who appeared raise any point as to that so far as I can recall.

Mr. YATES. I was under the impression that furs could deteriorate if not properly stored.

Mr. O'HARA. If they are not properly stored, that is correct.

Mr. YATES. And if the Government did not properly store the furs seized pending adjudication of the case, I wonder what the compensation would be to the person damaged?

Mr. O'HARA. I would assume, in the event there was a prosecution and furs were seized and a not-guilty verdict was returned, or no cease-and-desist order

issued, there would certainly be a liability upon the Government for the value of those furs.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. BECKWORTH. Mr. Chairman, I wish to digress just a moment to commend the gentleman from New Jersey [Mr. CANFIELD] on bringing to the attention of the Committee here the matter with reference to the importation of sewing machines. I have had similar criticisms, excepting the violence part, which the gentleman mentioned, with reference to such items as motorcycles. In my opinion certain dealers for American made motorcycles are having a rough time. Unquestionably this influx of products from foreign areas, so that American manufacturers are prevented from selling that which they make, is a dangerous trend at this time and I am certainly glad that the gentleman called the attention of the House to the example which he mentioned.

Mr. O'HARA. Mr. Chairman, will the gentleman yield for a brief observation?

Mr. BECKWORTH. I yield.

Mr. O'HARA. Mr. Chairman, I have been requested by the ranking member on our side of the committee, the gentleman from New Jersey [Mr. WOLVERTON], who is unavoidably detained in his district today, to express his great interest in this bill, and at the proper time to obtain consent for him to extend his remarks. I am sure the gentleman from Texas knows of the great interest of the gentleman from New Jersey [Mr. WOLVERTON], in this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. O'HARA. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. All time has expired.

The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "Fur Products Labeling Act."

SEC. 2. As used in this act—

(a) The term "person" means an individual, partnership, corporation, association, business trust, or any organized group of any of the foregoing.

(b) The term "fur" means any animal skin or part thereof with hair, fleece, or fur fibers attached thereto, either in its raw or processed state, but shall not include such skins as are to be converted into leather or which in processing shall have the hair, fleece, or fur fiber completely removed.

(c) The term "used fur" means fur in any form which has been worn or used by an ultimate consumer.

(d) The term "fur product" means any article of wearing apparel made in whole or in part of fur or used fur; except that such term shall not include such articles as the Commission shall exempt by reason of the relatively small quantity or value of the fur or used fur contained therein.

(e) The term "waste fur" means the ears, throats, or scrap pieces which have been severed from the animal pelt, and shall include mats or plates made therefrom.

(f) The term "invoice" means a written account, memorandum, list, or catalog, which is issued in connection with any commercial dealing in fur products or furs, and describes the particulars of any fur products or furs, transported or delivered to a purchaser, consignee, factor, bailee, corre-

spondent, or agent, or any other person who is engaged in dealing commercially in fur products or furs.

(g) The term "Commission" means the Federal Trade Commission.

(h) The term "Federal Trade Commission Act" means the act entitled "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," approved September 26, 1914, as amended.

(i) The term "Fur Products Name Guide" means the register issued by the Commission pursuant to section 7 of this act.

(j) The term "commerce" means commerce between any State, Territory, or possession of the United States, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession or the District of Columbia.

(k) The term "United States" means the several States, the District of Columbia, and the Territories and possessions of the United States.

MISBRANDING, FALSE ADVERTISING, AND INVOICING DECLARED UNLAWFUL

SEC. 3. (a) The introduction, or manufacture for introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product which is misbranded or falsely or deceptively advertised or invoiced, within the meaning of this act or the rules and regulations prescribed under section 8 (b), is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act.

(b) The manufacture for sale, sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, and which is misbranded or falsely or deceptively advertised or invoiced, within the meaning of this act or the rules and regulations prescribed under section 8 (b), is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act.

(c) The introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur which is falsely or deceptively advertised or falsely or deceptively invoiced, within the meaning of this act or the rules and regulations prescribed under section 8 (b), is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act.

(d) Except as provided in subsection (e) of this section, it shall be unlawful to remove or mutilate, or cause or participate in the removal or mutilation of, prior to the time any fur product is sold and delivered to the ultimate consumer, any label required by this act to be affixed to such fur product, and any person violating this subsection is guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce under the Federal Trade Commission Act.

(e) Any person introducing, selling, advertising, or offering for sale, in commerce, or processing for commerce, a fur product, may substitute for the label affixed to such product pursuant to section 4 of this act, a label conforming to the requirements of such section, and such label may show in lieu of the name or other identification shown pursuant to section 4 (2) (E) on the label so removed, the name or other identification of the person making the substi-

tution. Any person substituting a label shall keep such records as will show the information set forth on the label that he removed and the name or names of the person or persons from whom such fur product was received.

(f) Subsections (a), (b), and (c) of this section shall not apply to any common carrier, or contract carrier in respect of a fur product or fur shipped, transported, or delivered for shipment in commerce in the ordinary course of business.

MISBRANDED FUR PRODUCTS

SEC. 4. For the purposes of this act, a fur product shall be considered to be misbranded—

(1) if it is falsely or deceptively labeled or otherwise falsely or deceptively identified, or if the label contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product;

(2) if there is not affixed to the fur product a label showing in words and figures plainly legible—

(A) the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this act;

(B) that the fur product contains or is composed of used fur, when such is the fact;

(C) that is the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

(D) that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(E) the name, or other identification issued and registered by the Commission, of one or more of the persons who manufacture such fur product for introduction into commerce, introduce it into commerce, sell it in commerce, advertise or offer it for sale in commerce, or transport or distribute it in commerce;

(3) if the label required by paragraph (2) (A) of this section sets forth the name or names of any animal or animals other than the name or names provided for in such paragraph, unless such name or names are preceded by the words "Processed to simulate" and the fur product has been so processed.

FALSE ADVERTISING AND INVOICING OF FUR PRODUCTS AND FURS

SEC. 5. (a) For the purposes of this act, a fur product or fur shall be considered to be falsely or deceptively advertised if any advertisement, representation, public announcement, or notice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of such fur product or fur—

(1) does not show the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this act;

(2) does not show that the fur is used fur or that the fur product contains used fur, when such is the fact;

(3) does not show that the fur product or fur is bleached, dyed, or otherwise artificially colored fur when such is the fact;

(4) does not show that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(5) contains the name or names of any animal or animals other than the name or names specified in paragraph (1) of this subsection, unless such name or names are preceded by the words "Processed to simulate" and the fur product has been so processed, or contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product or fur.

(b) For the purposes of this act, a fur product or fur shall be considered to be falsely or deceptively invoiced—

(1) if such fur product or fur is not invoiced to show—

(A) the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this act;

(B) that the fur product contains or is composed of used fur, when such is the fact;

(C) that the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

(D) that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(E) the name and address of the person issuing such invoice;

(2) if such invoice contains the name or names of any animal or animals other than the name or names specified in paragraph (1) (A) of this subsection, unless such name or names are preceded by the words "Processed to simulate" and the fur product has been so processed, or contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product or fur.

EXCLUSION OF MISBRANDED OR FALSELY INVOICED FUR PRODUCTS OR FURS

SEC. 6. (a) Fur products imported into the United States shall be labeled so as not to be misbranded within the meaning of section 4 of this act; and all invoices of fur products and furs required under the Act of June 17, 1930 (ch. 497, title IV, 46 Stat. 719), shall set forth, in addition to the matter therein specified, information conforming with the requirements of section 5 (b) of this act, which information shall be included in the invoices prior to their certification under said act of June 17, 1930.

(b) The falsification of, or failure to set forth, said information in said invoices, or the falsification or perjury of the consignee's declaration provided for in said Act of June 17, 1930, insofar as it relates to said information, shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act; and any person who falsifies, or fails to set forth, said information in said invoices, or who falsifies or perjures and consignee's declaration insofar as it relates to said information, may thenceforth be prohibited by the Commission from importing, or participating in the importation of, any fur products or furs into the United States except upon filing bond with the Secretary of the Treasury in a sum double the value of said fur products and furs, and any duty thereon, conditioned upon compliance with the provisions of this section.

(c) A verified statement from the manufacturer, producer of, or dealer in, imported fur products and furs showing information required under the provisions of this act may be required under regulations prescribed by the Secretary of the Treasury.

NAME GUIDE FOR FUR PRODUCTS

SEC. 7. (a) The Commission shall, with the assistance and cooperation of the Department of Agriculture and the Department of the Interior, within 6 months after the date of the enactment of this act, issue, after holding public hearings, a register setting forth the names of hair, fleece, and fur-bearing animals, which shall be known as the Fur Products Name Guide. The names used shall be the true English names for the animals in question, or in the absence of a true English name for an animal, the name by which such animal can be properly identified in the United States.

(b) The Commission may, from time to time, with the assistance and cooperation of the Department of Agriculture and Depart-

ment of the Interior, after holding public hearings, add to or delete from such register the name of any hair, fleece, or fur-bearing animal.

(c) If the name of an animal (as set forth in the Fur Products Name Guide) connotes a geographical origin or significance other than the true country or place of origin of such animal, the Commission may require whenever such name is used in setting forth the information required by this act, such qualifying statement as it may deem necessary to prevent confusion or deception.

ENFORCEMENT OF THE ACT

SEC. 8. (a) (1) Except as otherwise specifically provided in this act, sections 3, 6, and 10 (b) of this act shall be enforced by the Federal Trade Commission under rules, regulations, and procedure provided for in the Federal Trade Commission Act.

(2) The Commission is authorized and directed to prevent any person from violating the provisions of sections 3, 6, and 10 (b) of this act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this act; and any such person violating any provision of section 3, 6, or 10 (b) of this act shall be subject to the penalties and entitled to the privileges and immunities provided in said Federal Trade Commission Act as though the applicable terms and provisions of the said Federal Trade Commission Act were incorporated into and made a part of this act.

(b) The Commission is authorized and directed to prescribe rules and regulations governing the manner and form of disclosing information required by this act, and such further rules and regulations as may be necessary and proper for purposes of administration and enforcement of this act.

(c) The Commission is authorized (1) to cause inspections, analyses, tests, and examinations to be made of any fur product or fur subject to this act; and (2) to cooperate, on matters related to the purposes of this act, with any department or agency of the Government; with any State, Territory, or possession, or with the District of Columbia; or with any department, agency, or political subdivision thereof; or with any person.

(d) (1) Every manufacturer or dealer in fur products or furs shall maintain proper records showing the information required by this act with respect to all fur products or furs handled by him, and shall preserve such records for at least 3 years.

(2) The neglect or refusal to maintain and preserve such records is unlawful, and any such manufacturer or dealer who neglects or refuses to maintain and preserve such records shall forfeit to the United States the sum of \$100 for each day of such failure which shall accrue to the United States and be recoverable by a civil action.

CONDEMNATION AND INJUNCTION PROCEEDINGS

SEC. 9. (a) (1) Any fur product or fur shall be liable to be proceeded against in the district court of the United States for the district in which found, and to be seized for confiscation by process of libel for condemnation, if the Commission has reasonable cause to believe such fur product or fur is being manufactured or held for shipment, or shipped, or held for sale or exchange after shipment, in commerce, in violation of the provisions of this act, and if after notice from the Commission the provisions of this act with respect to such fur product or fur are not shown to be complied with. Proceedings in such libel cases shall conform as nearly as may be to suits in rem in admiralty, and may be brought by the Commission.

(2) If such fur products or furs are condemned by the court, they shall be disposed

of, in the discretion of the court, by destruction, by sale, by delivery to the owner or claimant thereof upon payment of legal costs and charges and upon execution of good and sufficient bond to the effect that such fur or fur products will not be disposed of until properly marked, advertised, and invoiced as required under the provisions of this act; or by such charitable disposition as the court may deem proper. If such fur or fur products are disposed of by sale, the proceeds, less legal costs and charges, shall be paid into the Treasury of the United States as miscellaneous receipts.

(b) Whenever the Commission has reason to believe that—

(1) any person is violating, or is about to violate, section 3, 6, or 10 (b) of this act; and

(2) it would be to the public interest to enjoin such violation until complaint is issued by the Commission under the Federal Trade Commission Act and such complaint dismissed by the Commission or set aside by the court on review, or until order to cease and desist made thereon by the Commission has become final within the meaning of the Federal Trade Commission Act,

the Commission may bring suit in the district court of the United States or in the United States court of any Territory, for the district or Territory in which such person resides or transacts business, to enjoin such violation, and upon proper showing a temporary injunction or restraining order shall be granted without bond.

GUARANTY

SEC. 10. (a) No person shall be guilty under section 3 if he establishes a guaranty received in good faith signed by and containing the name and address of the person residing in the United States by whom the fur product or fur guaranteed was manufactured or from whom it was received, that said fur product is not misbranded or that said fur product or fur is not falsely advertised or invoiced under the provisions of this act. Such guaranty shall be either (1) a separate guaranty specifically designating the fur product or fur guaranteed, in which case it may be on the invoice or other paper relating to such fur product or fur; or (2) a continuing guaranty filed with the Commission applicable to any fur product or fur handled by a guarantor, in such form as the Commission by rules and regulations may prescribe.

(b) It shall be unlawful for any person to furnish, with respect to any fur product or fur, a false guaranty (except a person relying upon a guaranty to the same effect received in good faith signed by and containing the name and address of the person residing in the United States by whom the fur product or fur guaranteed was manufactured or from whom it was received) with reason to believe the fur product or fur falsely guaranteed may be introduced, sold, transported, or distributed in commerce, and any person who violates the provisions of this subsection is guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce within the meaning of the Federal Trade Commission Act.

CRIMINAL PENALTY

SEC. 11. (a) Any person who willfully violates section 3, 6, or 10 (b) of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than \$5,000, or be imprisoned not more than 1 year, or both, in the discretion of the court.

(b) Whenever the Commission has reason to believe any person is guilty of a misdemeanor under this section, it shall certify all pertinent facts to the Attorney General, whose duty it shall be to cause appropriate proceedings to be brought for the enforcement of the provisions of this section against such person.

APPLICATION OF EXISTING LAWS

SEC. 12. The provisions of this act shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other act of Congress.

SEPARABILITY OF PROVISIONS

SEC. 13. If any provisions of this act or the application thereof to any person or circumstance is held invalid, the remainder of the act and the application of such provision to any other person or circumstance shall not be affected thereby.

EFFECTIVE DATE

SEC. 14. This act, except section 7, shall take effect 1 year after the date of its enactment.

Mr. BECKWORTH (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and that the entire bill be open for amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk will report the committee amendments.

The Clerk read as follows:

Page 5, line 17, strike out "or" and insert after the words "contract carrier" the following: "or freight forwarder."

Page 7, line 4, after "paragraph" strike out the comma and all that follows down through the words "processed" in line 6.

Page 8, line 6, strike out beginning with the word "unless" down through the comma in line 8.

Page 9, line 9, strike out beginning with the word "unless" down through the comma in line 11.

The committee amendments were agreed to.

Mr. O'HARA. Mr. Chairman, I offer a clarifying amendment.

The Clerk read as follows:

Amendment offered by Mr. O'HARA: Page 9, lines 19 and 20, strike out "the act of June 17, 1930 (ch. 497, title IV, 46 Stat. 719)," and insert "title IV of the Tariff Act of 1930, as amended"; and in line 24, strike out "said act of June 17, 1930," and insert "the Tariff Act of 1930, as amended"; and on page 10, lines 3 and 4, strike out "said act of June 17, 1930," and insert "the Tariff Act of 1930, as amended."

Mr. O'HARA. Mr. Chairman, briefly, this amendment has been suggested by the Legislative Counsel to make more certain to which tariff act the language of the bill refers, and it is for that purpose only that I offer it, as a matter of clarification.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments? If not, under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. THOMPSON of Texas, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 2321) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs, pursuant to House Resolution 256, he reported the same back

to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

Mr. O'HARA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WOLVERTON] may extend his remarks in the debate on H. R. 2321.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

SPECIAL ORDER

The SPEAKER. Under the previous order of the House the gentleman from Arkansas [Mr. HAYS] is recognized for 30 minutes.

(Mr. HAYS of Arkansas asked and was given permission to revise and extend his remarks.)

IT IS NOT TOO LATE TO REESTABLISH A BIPARTISAN FOREIGN POLICY

Mr. HAYS of Arkansas. Mr. Speaker, I wish to speak today of efforts to recapture the bipartisan approach to foreign policy problems of our Nation in a period of great peril. I agree with my friend, the gentleman from Minnesota [Mr. JUMP], that it is more important that a policy be right than that it be bipartisan. But it is my conviction that in the year 1951 it is not likely to be right unless it is bipartisan.

Now it is hardly becoming of a Democrat to give advice to his Republican friends, and I do not wish to appear in that role today. If I speak critically of any phase of the Republican position, actual or potential, I would with equal candor speak of my own party's deficiencies. I wish very much to speak without partisanship. I recognize that it would be a mistake to make a fetish of the bipartisan plan for foreign policy, but on the other hand proposals for maximum cooperation between the parties in this period of danger must be received favorably if we are to have an adequate and predictable policy.

The advantages in our political system of having a vigorous majority opposition need not be lost and will be available if the responsible party in power should not meet its obligations acceptably. In a certain sense, the party in power can neither renounce nor share responsibility. It would be contrary to the American system to permit the majority, by sharing decisions, to escape its final responsibility for our foreign policy. At the same time we must distinguish between the execution of a policy which rests exclusively upon the administration and the determination of that policy through consultation and cooperation between the parties. The opposition is entitled to advantages growing out of gross mishandling of a policy's execution by the administration, but the

opposition should seek perfection in the policy itself.

Senator Vandenberg is said to have preferred the term "nonpartisan" to "bipartisan." Perhaps he was right, but I use the term "bipartisan" because I believe that the resources to be made available through the facilities of political organizations are essential to an effective foreign policy, and since our very existence may depend on the effectiveness of that policy, we cannot indulge the luxury of ordinary political rivalry. If it is inevitable that foreign policy should become a political issue in 1952 it nevertheless would be ignoble for either party in 1951 to seek an advantage with only Presidential politics in mind.

I am more concerned, Mr. Speaker, about getting the right policy with an emphasis upon its positive phases than in convincing my colleagues on a procedural point, but both procedure and content are important. Bipartisanship can be negative in character, and negativism would be fatal. Both parties might fail, for example, to use their best efforts before 1952, determining decisions then that should be made now. But this would mean renouncing leadership at a time when the people are eager for leadership, eager even to share new sacrifices if essential for victory and peace.

Mr. Speaker, we must find a way, through our party organizations and every other device of popular government, to end the disunity which threatens our country. I fear that the Congress may be partly responsible for the divisive influences that are powerfully asserting themselves right now and that is my reason for presenting these ideas today. Again, I insist that we do not have to give up the benefits of the two-party system with the wholesome clash of opinion which it permits, but only that it is imperative that we have a new emphasis upon party cooperation in deciding foreign policy questions.

In the critical months just ahead we must avoid exploiting fears, we must dispel them. We must forswear any advantage from the blunders of the other side—if the blundering is incidental to the pooling of our moral and intellectual resources for saving the Nation. We have moved into an era in which America is inescapably the free world's leader and today we are not spiritually conditioned for this role. We would be equal to it if we matched our tremendous physical and material power with the moral strength that comes with dedication to common ends, if there is team work by both organizations.

Bipartisanship in 1951 must be different from bipartisanship in 1924. Then, the mood of isolationism was upon us. I insert this footnote of political history, Mr. Speaker, primarily to remind my Democratic colleagues that our taunting the Republicans with isolationism is hardly in order. In the twenties the policies of isolationism reflected the official thinking of Democrats as well as Republicans. The 1924 convention in Madison Square Garden approved, not the forward-looking proposal of Newton D. Baker to cooperate with the League

of Nations, but the weak and negative position which the isolationists in the party advanced. We must carry our share of the blame for the disasters which followed the retreat from world responsibility in that unhappy decade.

You see, Mr. Speaker, it is only because I believe that much of the confusion in popular thinking today is due to the inability of Congress to maintain bipartisan discussions, that I offer this plea for its recapture. We must not permit one party to become identified with success in Korea, for the suffering that has come from that far-away enterprise touches families of every political affiliation.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. HAYS of Arkansas. I yield to the gentleman from Ohio.

Mr. VORYS. The gentleman is making a most interesting and important address, as he always does. We all know him as a sincere and able advocate of the best in bipartisanship. We know that he approaches this problem with idealism and common sense. I wish to point out, however, if the gentleman would permit me, that we have gone further in bipartisan action on foreign policy than possibly meets the eye of the general public, because our accomplishments in this field in this present session of Congress have not been in the realm of controversy but in the realm of bipartisan agreement. If the gentleman would permit, I would like to call his attention to five instances in which a bipartisan, nonpartisan, dualpartisan, patriotic approach to problems dealing with our foreign affairs has been carried out with success in this House.

On January 19 the McCormack-Martin resolution, urging the United Nations to declare Red China an aggressor, was implemented and passed by the joint efforts of the leadership of both parties. The Rogers resolution, urging the United Nations to declare an embargo on Red China, passed under similar auspices, as did the Harris resolution, opposing the seating of Red China in the United Nations. The Ribicoff resolution, declaring our historic friendship for the Russian people, passed under similar auspices; and the India relief bill, after a long and tempestuous prelude, came to the floor and was passed, and the conference report was adopted with the support of the leadership on both sides of the House.

Now, the fact that we did not get into a dreadful argument over all of this has perhaps kept it from the attention of the newspapers and radio commentators, who love to tell about a fight; but I think that the gentleman from Arkansas and the House and the country can look forward with a certain degree of confidence, in view of this record that has already been made, unheralded and unsung, in the Eighty-second Congress.

Mr. HAYS of Arkansas. I am very happy to have that emphasis upon the constructive side of the work of the House. I am sure that the gentleman would not disagree with my main thesis that often the task is made infinitely harder by political speeches and by an

Page 10

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Senate

(Legislative day of Thursday, May 17, 1951)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty and everlasting God, from whom all holy desires, all good counsels, and all just works do proceed: As the torch of a new day lights afresh the path of duty, we bow before Thee in humility and hope. As Thou hast bound together the free peoples of the earth, with all their differing traditions and cultures in a costly struggle to preserve their threatened liberties, hold them together, we beseech Thee, in a stern resolve which can never be broken by any sinister force bent on enslaving the earth.

Hasten, we pray, through us the day of an ampler life for all, when every man shall dwell in safety among his neighbors, free from gnawing want, free from torturing fears, free to speak his thoughts and free to choose his altar of worship. Above all other acclaim or reward in these searching days we crave the assurance of Thy approving voice: "Blessed are the peacemakers, for they shall be called the children of God." We ask it in the name of the Prince of Peace. Amen.

THE JOURNAL

On request of Mr. McFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, June 18, 1951, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1025) to expand the authority of the Coast Guard to establish, maintain, and operate aids to navigation to include the Trust Territory of the Pacific Islands.

The message notified the Senate that the House having had under consideration the joint resolution of the Senate

(S. J. Res. 70) to suspend the application of certain Federal laws with respect to an attorney employed by the Senate Committee on Rules and Administration, had rejected the same.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 157. An act to provide transportation on Canadian vessels between Skagway, Alaska, and other points in Alaska, between Haines, Alaska, and other points in Alaska, and between Hyder, Alaska, and other points in Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation;

H. R. 302. An act to redefine the eligibility requirements for appointment of pharmacists in the Department of Medicine and Surgery of the Veterans' Administration;

H. R. 1183. An act to authorize the Secretaries of the Army, the Navy, and the Air Force, with the approval of the Secretary of Defense, to cause to be published official registers of their respective services;

H. R. 1733. An act to authorize the establishment of the City of Refuge National Historical Park, in the Territory of Hawaii, and for other purposes;

H. R. 2321. An act to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs;

H. R. 2955. An act to amend the joint resolution of August 8, 1946, as amended, with respect to appropriations authorized for the conduct of investigations and studies thereunder;

H. R. 3100. An act to repeal the act of August 7, 1939 (53 Stat. 1243; 48 U. S. C., sec. 353);

H. R. 3861. An act to extend to June 30, 1953, the authority of the Administrator of Veterans' Affairs to make direct home and farm-house loans under title III of the Servicemen's Readjustment Act of 1944, as amended, and for other purposes;

H. R. 3932. An act to provide vocational rehabilitation training for veterans with compensable service-connected disabilities who served on or after June 27, 1950;

H. R. 4000. An act to amend subsection 602 (f) of the National Service Life Insurance Act of 1940, as amended, to authorize renewals of level premium term insurance for successive 5-year periods;

H. R. 4024. An act to authorize certain easements, and for other purposes;

H. R. 4200. An act to make certain revisions in titles I through IV of the Officer Personnel Act of 1947, as amended, and for other purposes;

H. R. 4260. An act to authorize the Secretary of the Army to transfer to the Department of the Interior the quartermaster experimental fuel station, Pike County, Mo.;

H. R. 4338. An act to extend the time for completing the construction of a toll bridge across the Delaware River near Wilmington, Del.; and

H. R. 4393. An act to extend for 2 years the period during which free postage for members of the Armed Forces of the United States in Korea and other specified areas shall be in effect.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles, and referred, or ordered to be placed on the Calendar, as indicated:

H. R. 157. An act to provide transportation on Canadian vessels between Skagway, Alaska, and other points in Alaska, between Haines, Alaska, and other points in Alaska, and between Hyder, Alaska, and other points in Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation;

H. R. 2321. An act to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs; and

H. R. 4200. An act to make certain revisions in titles I through IV of the Officer Personnel Act of 1947, as amended, and for other purposes; ordered to be placed on the Calendar.

H. R. 302. An act to redefine the eligibility requirements for appointment of pharmacists in the Department of Medicine and Surgery of the Veterans' Administration; and

H. R. 3932. An act to provide vocational rehabilitation training for veterans with compensable service-connected disabilities who served on or after June 27, 1950; to the Committee on Labor and Public Welfare.

H. R. 1183. An act to authorize the Secretaries of the Army, the Navy, and the Air Force, with the approval of the Secretary of Defense, to cause to be published official Registers of their respective services;

H. R. 3861. An act to extend to June 30, 1953, the authority of the Administrator of Veterans' Affairs to make direct home and farm-house loans under title III of the Servicemen's Readjustment Act of 1944, as amended, and for other purposes;

H. R. 4024. An act to authorize certain easements, and for other purposes; and

H. R. 4260. An act to authorize the Secretary of the Army to transfer to the Department of the Interior the quartermaster ex-

perimental fuel station, Pike County, Mo.; to the Committee on Armed Services.

H. R. 1733. An act to authorize the establishment of the City of Refuge National Historical Park, in the Territory of Hawaii, and for other purposes; and

H. R. 3100. An act to repeal the act of August 7, 1939 (53 Stat. 1243; 48 U. S. C., sec. 353); to the Committee on Interior and Insular Affairs.

H. R. 2995. An act to amend the joint resolution of August 8, 1946, as amended, with respect to appropriations authorized for the conduct of investigations and studies thereunder; to the Committee on Interstate and Foreign Commerce.

H. R. 4000. An act to amend subsection 602 (f) of the National Service Life Insurance Act of 1940, as amended, to authorize renewals of level premium term insurance for successive 5-year periods; to the Committee on Finance.

H. R. 4338. An act to extend the time for completing the construction of a toll bridge across the Delaware River near Wilmington, Del.; to the Committee on Public Works.

H. R. 4393. An act to extend for 2 years the period during which free postage for members of the Armed Forces of the United States in Korea and other specified areas shall be in effect; to the Committee on Post Office and Civil Service.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. LEHMAN, and by unanimous consent, a subcommittee of the Committee on Labor and Public Welfare was authorized to meet during the session of the Senate today.

ABSENCE OF SENATOR WHERRY TO ATTEND THE ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE SIGNING OF THE DECLARATION OF INDEPENDENCE

Mr. SALTONSTALL. Mr. President, I should like to announce that the junior Senator from Nebraska [Mr. WHERRY] is absent today. As a member of the President's Commission on the One Hundred and Seventy-fifth Anniversary of the Signing of the Declaration of Independence, the Senator from Nebraska is delivering an address this noon in Philadelphia.

He is addressing a meeting there to inaugurate plans for celebration of the Fourth of July. The Commonwealth of Pennsylvania, the city of Philadelphia, and the President's Commission of which Chief Justice Vinson is Chairman, are cooperating in plans for the celebration.

TRANSACTION OF ROUTINE BUSINESS

Mr. McFARLAND. Mr. President, I ask unanimous consent that Senators be permitted to make insertions in the RECORD and transact routine business, without debate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communications and letter, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATION, GENERAL SERVICES ADMINISTRATION (S. Doc. No. 47)

A communication from the President of the United States, transmitting a proposed supplemental appropriation, in the amount of \$225,000, for the General Services Ad-

ministration, fiscal year 1952 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

PROPOSED SUPPLEMENTAL APPROPRIATION, LEGISLATIVE BRANCH (S. Doc. No. 48)

A communication from the President of the United States, transmitting a proposed supplemental appropriation, in the amount of \$150,000 for the legislative branch, fiscal year 1951 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

REPORT OF LIBRARIAN OF CONGRESS

A letter from the Acting Librarian of Congress, transmitting, pursuant to law, the annual report of the Librarian of Congress, together with a complete set of quarterly journal of current acquisitions, the supplements to the annual report, for the year ended June 30, 1950 (with accompanying documents); to the Committee on Rules and Administration.

ST. LAWRENCE SEAWAY—RESOLUTION OF ROCHESTER (N. Y.) BAR ASSOCIATION

Mr. LEHMAN. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the Rochester (N. Y.) Bar Association, endorsing the St. Lawrence seaway project.

There being no objection, the resolution was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Whereas there is now pending before the Congress of the United States resolutions known as House Joint Resolution 3 and Senate Joint Resolution 27 which are designed to implement the obligation of the United States as set forth in the 1941 St. Lawrence agreement between the United States and Canada, calling for a Great Lakes-St. Lawrence waterway and power project; and

Whereas the said project will directly benefit local and national commerce and private enterprise by improving transportation, creating additional electric power, and conserving natural resources; and

Whereas the economic feasibility of such a project has been established by many non-partisan studies which have resulted in recommendations for the completion of said project by Presidents Wilson, Harding, Coolidge, Hoover, Roosevelt [sic], and Truman and by the New York Governors, Smith, Roosevelt [sic], Lehman, and Dewey; and

Whereas such project will be a further step forward in the harmonious relations between the United States and Canada; and

Whereas such project will strengthen the military defenses of the United States: It is hereby

Resolved by the Rochester Bar Association, That said resolutions should be approved by the Congress of the United States.

Abram N. Jones, Chairman; Sol M. Linowitz, Vice Chairman; Leon H. Sturman (in favor of power project only); James D. Andrews; Ray F. Fowler; John Branch; Bernard M. Pogal; Harry D. Goldman; William L. Clay; S. William Rosenberg; John Lomenzo.

PRICE CONTROL OF BEEF—MEMORIAL

Mr. BUTLER of Nebraska. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution in the nature of a memorial which is being circulated in Stanton County, Nebr., remonstrating against the meat-control orders, and particularly the proposed rollbacks. I am afraid many city residents do not realize how seriously this order will affect their supply of beef in

the future. Those who live in the farming country, townspeople as well as farmers, understand what is being done to meat production by these unwise and hasty orders. I am told that townspeople are signing memorials like this just the same as cattle feeders. I am presenting it now even before all the signatures are collected because we will shortly be taking up the extension of these controls, and it is absolutely vital that Congress realize the seriousness of this problem.

There being no objection, the memorial was referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

STANTON COUNTY LIVESTOCK FEEDERS ASSOCIATION, STANTON, NEBR., JUNE 1951—MEMORIAL TO UNITED STATES SENATOR HUGH S. BUTLER

Whereas OPS through its infamous, discriminatory, and un-American order to roll back the price of beef cattle 18 percent or to pre-Korea levels has so drastically reduced the available supply of beef that the Government is planning to buy foreign beef for the armed services. This plan calls for supplying inferior quality foreign beef to our boys in uniform while saving the limited supply of high quality corn-fed beef for our civilians. We the undersigned believe that the boys at the front well deserve first priority on this country's supply of choice corn-fed beef. The civilians here at home are still free to strive for the elimination of OPS regulations that have increased the price of meat on the one hand and sabotaged the source of supply on the other; and

Whereas beef is much higher to the American housewife under OPS ceiling prices; and

Whereas with the continuation of OPS meat rationing will soon be inevitable; and

Whereas the control of pork production is next on OPS schedule; and

Whereas thousands of OPS-ers (snoop troops) have been employed at public expense to prey on the industry; and

Whereas wide-scale black market operations including such practices as illegal slaughtering, tie-in sales, up grading, and devious ways of cutting beef, are now well under way; and

Whereas, many World War II veterans just getting started in the cattle business are either being wiped out or thrown for serious financial loss. This, of course, applies to countless others who own cattle in every neighborhood, county, and State in the United States. The roll-back order does not allow cost of production as proven by hundreds of feed-lot records from all over the Corn Belt. A large share of the investment in feed-lot cattle is covered by borrowed money. When a livestock feeder buys feeder cattle at the prevailing market price, and the price is rolled back 18 percent, it means the loss of all profit and part or all of the equity that the owner has in his cattle. This condition covers a large percent of the cattle on feed in the country at the present time. This is why cattlemen who bought cattle in good faith on the free open market before the roll-back are so concerned and anxious to have the roll-back canceled; and

Whereas, 80,000,000 cattle in the United States, at the close of the 18 percent roll-back period, will have been depreciated approximately \$50 per head or \$4,000,000,000. This affects nearly every one of our millions of farmers and ranchers, because cattle are owned and beef is produced on nearly every farm and ranch in the country. Even dairy or farm milk cows sold for beef will be depreciated nearly \$100 per head; and

Whereas beef cattle and related industries are in a state of paralysis. Large numbers of packing-house laborers have been laid off.

Calendar No. 422

82D CONGRESS
1ST SESSION

H. R. 2321

IN THE SENATE OF THE UNITED STATES

JUNE 19 (legislative day, MAY 17), 1951

Read twice and ordered to be placed on the calendar

AN ACT

To protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Fur Products Labeling
4 Act".

5 SEC. 2. As used in this Act—

6 (a) The term "person" means an individual, partner-
7 ship, corporation, association, business trust, or any organ-
8 ized group of any of the foregoing.

9 (b) The term "fur" means any animal skin or part
10 thereof with hair, fleece or fur fibers attached thereto, either
11 in its raw or processed state, but shall not include such skins

1 as are to be converted into leather or which in processing
2 shall have the hair, fleece, or fur fiber completely removed.

3 (c) The term "used fur" means fur in any form which
4 has been worn or used by an ultimate consumer.

5 (d) The term "fur product" means any article of wear-
6 ing apparel made in whole or in part of fur or used fur;
7 except that such term shall not include such articles as the
8 Commission shall exempt by reason of the relatively small
9 quantity or value of the fur or used fur contained therein.

10 (e) The term "waste fur" means the ears, throats, or
11 scrap pieces which have been severed from the animal pelt,
12 and shall include mats or plates made therefrom.

13 (f) The term "invoice" means a written account,
14 memorandum, list, or catalog, which is issued in connection
15 with any commercial dealing in fur products or furs, and
16 describes the particulars of any fur products or furs, trans-
17 ported or delivered to a purchaser, consignee, factor, bailee,
18 correspondent, or agent, or any other person who is engaged
19 in dealing commercially in fur products or furs.

20 (g) The term "Commission" means the Federal Trade
21 Commission.

22 (h) The term "Federal Trade Commission Act" means
23 the Act entitled "An Act to create a Federal Trade Com-
24 mission, to define its powers and duties, and for other pur-
25 poses", approved September 26, 1914, as amended.

1 (i) The term "Fur Products Name Guide" means the
2 register issued by the Commission pursuant to section 7 of
3 this Act.

4 (j) The term "commerce" means commerce between
5 any State, Territory, or possession of the United States, or
6 the District of Columbia, and any place outside thereof; or
7 between points within the same State, Territory, or posses-
8 sion, or the District of Columbia, but through any place
9 outside thereof; or within any Territory or possession or
10 the District of Columbia.

11 (k) The term "United States" means the several
12 States, the District of Columbia, and the Territories and
13 possessions of the United States.

14 MISBRANDING, FALSE ADVERTISING, AND INVOICING
15 DECLARED UNLAWFUL

16 SEC. 3. (a) The introduction, or manufacture for in-
17 troduction, into commerce, or the sale, advertising or offering
18 for sale in commerce, or the transportation or distribution
19 in commerce, of any fur product which is misbranded or
20 falsely or deceptively advertised or invoiced, within the
21 meaning of this Act or the rules and regulations prescribed
22 under section 8 (b), is unlawful and shall be an unfair
23 method of competition, and an unfair and deceptive act or
24 practice, in commerce under the Federal Trade Commission
25 Act.

1 (b) The manufacture for sale, sale, advertising, offer-
2 ing for sale, transportation or distribution, of any fur prod-
3 uct which is made in whole or in part of fur which has
4 been shipped and received in commerce, and which is mis-
5 branded or falsely or deceptively advertised or invoiced,
6 within the meaning of this Act or the rules and regulations
7 prescribed under section 8 (b), is unlawful and shall be an
8 unfair method of competition, and an unfair and deceptive
9 act or practice, in commerce under the Federal Trade Com-
10 mission Act.

11 (c) The introduction into commerce, or the sale, ad-
12 vertising or offering for sale in commerce, or the transporta-
13 tion or distribution in commerce, of any fur which is falsely
14 or deceptively advertised or falsely or deceptively invoiced,
15 within the meaning of this Act or the rules and regulations
16 prescribed under section 8 (b), is unlawful and shall be an
17 unfair method of competition, and an unfair and deceptive
18 act or practice, in commerce under the Federal Trade Com-
19 mission Act.

20 (d) Except as provided in subsection (e) of this section,
21 it shall be unlawful to remove or mutilate, or cause or
22 participate in the removal or mutilation of, prior to the time
23 any fur product is sold and delivered to the ultimate con-
24 sumer, any label required by this Act to be affixed to such
25 fur product, and any person violating this subsection is guilty

1 of an unfair method of competition, and an unfair or decep-
2 tive act or practice, in commerce under the Federal Trade
3 Commission Act.

4 (e) Any person introducing, selling, advertising, or
5 offering for sale, in commerce, or processing for commerce,
6 a fur product, may substitute for the label affixed to such
7 product pursuant to section 4 of this Act, a label conform-
8 ing to the requirements of such section, and such label may
9 show in lieu of the name or other identification shown pur-
10 suant to section 4 (2) (E) on the label so removed, the
11 name or other identification of the person making the substi-
12 tution. Any person substituting a label shall keep such rec-
13 ords as will show the information set forth on the label that
14 he removed and the name or names of the person or persons
15 from whom such fur product was received.

16 (f) Subsections (a), (b), and (c) of this section shall
17 not apply to any common carrier, contract carrier or freight
18 forwarder in respect of a fur product or fur shipped, trans-
19 ported, or delivered for shipment in commerce in the ordinary
20 course of business.

21 MISBRANDED FUR PRODUCTS

22 SEC. 4. For for the purposes of this Act, a fur product
23 shall be considered to be misbranded—

24 (1) if it is falsely or deceptively labeled or other-
25 wise falsely or deceptively identified, or if the label con-

1 tains any form of misrepresentation or deception, directly
2 or by implication, with respect to such fur product;

3 (2) if there is not affixed to the fur product a label
4 showing in words and figures plainly legible—

5 (A) the name or names (as set forth in the
6 Fur Products Name Guide) of the animal or
7 animals that produced the fur, and such qualifying
8 statement as may be required pursuant to section
9 7 (c) of this Act;

10 (B) that the fur product contains or is com-
11 posed of used fur, when such is the fact;

12 (C) that the fur product contains or is com-
13 posed of bleached, dyed, or otherwise artificially
14 colored fur, when such is the fact;

15 (D) that the fur product is composed in whole
16 or in substantial part of paws, tails, bellies, or waste
17 fur, when such is the fact;

18 (E) the name, or other identification issued
19 and registered by the Commission, of one or more
20 of the persons who manufacture such fur product
21 for introduction into commerce, introduce it into
22 commerce, sell it in commerce, advertise or offer it
23 for sale in commerce, or transport or distribute it
24 in commerce;

(3) if the label required by paragraph (2) (A) of this section sets forth the name or names of any animal or animals other than the name or names provided for in such paragraph.

FALSE ADVERTISING AND INVOICING OF FUR PRODUCTS
AND FURS

SEC. 5. (a) For the purposes of this Act, a fur product or fur shall be considered to be falsely or deceptively advertised if any advertisement, representation, public announcement, or notice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of such fur product or fur—

(1) does not show the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this Act;

(2) does not show that the fur is used fur or that the fur product contains used fur, when such is the fact;

(3) does not show that the fur product or fur is bleached, dyed, or otherwise artificially colored fur when such is the fact;

(4) does not show that the fur product is composed

1 in whole or in substantial part of paws, tails, bellies,
2 or waste fur, when such is the fact;

3 (5) contains the name or names of any animal or
4 animals other than the name or names specified in
5 paragraph (1) of this subsection, or contains any form
6 of misrepresentation or deception, directly or by implica-
7 tion, with respect to such fur product or fur.

8 (b) For the purposes of this Act, a fur product or
9 fur shall be considered to be falsely or deceptively invoiced—
10 (1) if such fur product or fur is not invoiced to

11 show—

12 (A) the name or names (as set forth in the
13 Fur Products Name Guide) of the animal or
14 animals that produced the fur, and such qualifying
15 statement as may be required pursuant to section
16 7 (c) of this Act;

17 (B) that the fur product contains or is com-
18 posed of used fur, when such is the fact;

19 (C) that the fur product contains or is com-
20 posed of bleached, dyed, or otherwise artificially
21 colored fur, when such is the fact;

22 (D) that the fur product is composed in whole
23 or in substantial part of paws, tails, bellies, or waste
24 fur, when such is the fact;

(E) the name and address of the person
issuing such invoice;

(2) if such invoice contains the name or names
of any animal or animals other than the name or names
specified in paragraph (1) (A) of this subsection,
or contains any form of misrepresentation or deception,
directly or by implication, with respect to such fur
product or fur.

EXCLUSION OF MISBRANDED OR FALSELY INVOICED FUR
PRODUCTS OR FURS

SEC. 6. (a) Fur products imported into the United
States shall be labeled so as not to be misbranded within the
meaning of section 4 of this Act; and all invoices of fur
products and furs required under title IV of the Tariff
Act of 1930, as amended, shall set forth, in addition to
the matter therein specified, information conforming with
the requirements of section 5 (b) of this Act, which infor-
mation shall be included in the invoices prior to their
certification under the Tariff Act of 1930, as amended.

(b) The falsification of, or failure to set forth, said
information in said invoices, or the falsification or perjury
of the consignee's declaration provided for in the Tariff Act
of 1930, as amended, insofar as it relates to said information,

1 shall be an unfair method of competition, and an unfair and
2 deceptive act or practice, in commerce under the Federal
3 Trade Commission Act; and any person who falsifies, or
4 fails to set forth, said information in said invoices, or who
5 falsifies or perjures said consignee's declaration insofar as
6 it relates to said information, may thenceforth be prohibited
7 by the Commission from importing, or participating in the
8 importation of, any fur products or furs into the United
9 States except upon filing bond with the Secretary of the
10 Treasury in a sum double the value of said fur products and
11 furs, and any duty thereon, conditioned upon compliance
12 with the provisions of this section.

13 (c) A verified statement from the manufacturer, pro-
14 ducer of, or dealer in, imported fur products and furs showing
15 information required under the provisions of this Act may be
16 required under regulations prescribed by the Secretary of the
17 Treasury.

18 NAME GUIDE FOR FUR PRODUCTS

19 SEC. 7. (a) The Commission shall, with the assistance
20 and cooperation of the Department of Agriculture and the
21 Department of the Interior, within six months after the
22 date of the enactment of this Act, issue, after holding
23 public hearings, a register setting forth the names of
24 hair, fleece, and fur-bearing animals, which shall be
25 known as the Fur Products Name Guide. The names

1 used shall be the true English names for the animals in
2 question, or in the absence of a true English name for an
3 animal, the name by which such animal can be properly
4 identified in the United States.

5 (b) The Commission may, from time to time, with the
6 assistance and cooperation of the Department of Agriculture
7 and Department of the Interior, after holding public hearings,
8 add to or delete from such register the name of any hair,
9 fleece, or fur-bearing animal.

10 (c) If the name of an animal (as set forth in the Fur
11 Products Name Guide) connotes a geographical origin or
12 significance other than the true country or place of origin
13 of such animal, the Commission may require whenever such
14 name is used in setting forth the information required by
15 this Act, such qualifying statement as it may deem necessary
16 to prevent confusion or deception.

17 ENFORCEMENT OF THE ACT

18 SEC. 8. (a) (1) Except as otherwise specifically pro-
19 vided in this Act, sections 3, 6, and 10 (b) of this Act shall
20 be enforced by the Federal Trade Commission under rules,
21 regulations, and procedure provided for in the Federal
22 Trade Commission Act.

23 (2) The Commission is authorized and directed to pre-
24 vent any person from violating the provisions of sections 3,
25 6, and 10 (b) of this Act in the same manner, by the same

1 means, and with the same jurisdiction, powers, and duties
2 as though all applicable terms and provisions of the Federal
3 Trade Commission Act were incorporated into and made
4 a part of this Act; and any such person violating any pro-
5 vision of section 3, 6, or 10 (b) of this Act shall be sub-
6 ject to the penalties and entitled to the privileges and immu-
7 nities provided in said Federal Trade Commission Act as
8 though the applicable terms and provisions of the said Fed-
9 eral Trade Commission Act were incorporated into and
10 made a part of this Act.

11 (b) The Commission is authorized and directed to
12 prescribe rules and regulations governing the manner and
13 form of disclosing information required by this Act, and such
14 further rules and regulations as may be necessary and proper
15 for purposes of administration and enforcement of this Act.

16 (c) The Commission is authorized (1) to cause inspec-
17 tions, analyses, tests, and examinations to be made of any
18 fur product or fur subject to this Act; and (2) to cooperate,
19 on matters related to the purposes of this Act, with any
20 department or agency of the Government; with any State,
21 Territory, or possession, or with the District of Columbia;
22 or with any department, agency, or political subdivision
23 thereof; or with any person.

24 (d) (1) Every manufacturer or dealer in fur products
25 or furs shall maintain proper records showing the informa-

1 tion required by this Act with respect to all fur products or
2 furs handled by him, and shall preserve such records for
3 at least three years.

4 (2) The neglect or refusal to maintain and preserve
5 such records is unlawful, and any such manufacturer or
6 dealer who neglects or refuses to maintain and preserve
7 such records shall forfeit to the United States the sum of
8 \$100 for each day of such failure which shall accrue to the
9 United States and be recoverable by a civil action.

10 CONDEMNATION AND INJUNCTION PROCEEDINGS

11 SEC. 9. (a) (1) Any fur product or fur shall be liable
12 to be proceeded against in the district court of the United
13 States for the district in which found, and to be seized for
14 confiscation by process of libel for condemnation, if the Com-
15 mission has reasonable cause to believe such fur product or
16 fur is being manufactured or held for shipment, or shipped,
17 or held for sale or exchange after shipment, in commerce,
18 in violation of the provisions of this Act, and if after notice
19 from the Commission the provisions of this Act with respect
20 to such fur product or fur are not shown to be complied with.
21 Proceedings in such libel cases shall conform as nearly as
22 may be to suits in rem in admiralty, and may be brought
23 by the Commission.

24 (2) If such fur products or furs are condemned by the
25 court, they shall be disposed of, in the discretion of the court,

1 by destruction, by sale, by delivery to the owner or claimant
2 thereof upon payment of legal costs and charges and upon
3 execution of good and sufficient bond to the effect that such
4 fur or fur products will not be disposed of until properly
5 marked, advertised, and invoiced as required under the pro-
6 visions of this Act; or by such charitable disposition as the
7 court may deem proper. If such fur or fur products are dis-
8 posed of by sale, the proceeds, less legal costs and charges,
9 shall be paid into the Treasury of the United States as mis-
10 cellaneous receipts.

11 (b) Whenever the Commission has reason to believe
12 that—

13 (1) any person is violating, or is about to violate,
14 section 3, 6, or 10 (b) of this Act; and

15 (2) it would be to the public interest to enjoin
16 such violation until complaint is issued by the Com-
17 mission under the Federal Trade Commission Act and
18 such complaint dismissed by the Commission or set aside
19 by the court on review, or until order to cease and
20 desist made thereon by the Commission has become
21 final within the meaning of the Federal Trade Commis-
22 sion Act,

23 the Commission may bring suit in the district court of the
24 United States or in the United States court of any Territory,
25 for the district or Territory in which such person resides or

1 transacts business, to enjoin such violation, and upon proper
2 showing a temporary injunction or restraining order shall
3 be granted without bond.

4 GUARANTY

5 SEC. 10. (a) No person shall be guilty under section
6 3 if he establishes a guaranty received in good faith signed
7 by and containing the name and address of the person re-
8 siding in the United States by whom the fur product or
9 fur guaranteed was manufactured or from whom it was
10 received, that said fur product is not misbranded or that
11 said fur product or fur is not falsely advertised or invoiced
12 under the provisions of this Act. Such guaranty shall be
13 either (1) a separate guaranty specifically designating the
14 fur product or fur guaranteed, in which case it may be on
15 the invoice or other paper relating to such fur product or
16 fur; or (2) a continuing guaranty filed with the Commis-
17 sion applicable to any fur product or fur handled by a
18 guarantor, in such form as the Commission by rules and
19 regulations may prescribe.

20 (b) It shall be unlawful for any person to furnish, with
21 respect to any fur product or fur, a false guaranty (except
22 a person relying upon a guaranty to the same effect received
23 in good faith signed by and containing the name and address
24 of the person residing in the United States by whom the
25 fur product or fur guaranteed was manufactured or from

1 whom it was received) with reason to believe the fur
2 product or fur falsely guaranteed may be introduced, sold,
3 transported, or distributed in commerce, and any person
4 who violates the provisions of this subsection is guilty of an
5 unfair method of competition, and an unfair or deceptive
6 act or practice, in commerce within the meaning of the
7 Federal Trade Commission Act.

8 CRIMINAL PENALTY

9 SEC. 11. (a) Any person who willfully violates section
10 3, 6, or 10 (b) of this Act shall be guilty of a misdemeanor
11 and upon conviction shall be fined not more than \$5,000,
12 or be imprisoned not more than one year, or both, in the
13 discretion of the court.

14 (b) Whenever the Commission has reason to believe
15 any person is guilty of a misdemeanor under this section, it
16 shall certify all pertinent facts to the Attorney General,
17 whose duty it shall be to cause appropriate proceedings to
18 be brought for the enforcement of the provisions of this
19 section against such person.

20 APPLICATION OF EXISTING LAWS

21 SEC. 12. The provisions of this Act shall be held to
22 be in addition to, and not in substitution for or limitation
23 of, the provisions of any other Act of Congress.

1 SEPARABILITY OF PROVISIONS

2 SEC. 13. If any provision of this Act or the applica-
3 tion thereof to any person or circumstance is held invalid,
4 the remainder of the Act and the application of such pro-
5 vision to any other person or circumstance shall not be
6 affected thereby.

7 EFFECTIVE DATE

8 SEC. 14. This Act, except section 7, shall take effect
9 one year after the date of its enactment.

Passed the House of Representatives June 18, 1951.

Attest:

RALPH R. ROBERTS,

Clerk.

82ND CONGRESS
1ST Session

H. R. 2321

AN ACT

To protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs.

JUNE 19 (legislative day, MAY 17), 1951

Read twice and ordered to be placed on the calendar

tucky [Mr. UNDERWOOD] are absent on official business.

The Senator from South Carolina [Mr. JOHNSTON] is absent on official committee business.

The Senator from Montana [Mr. MURRAY] is absent by leave of the Senate on official business, having been appointed a representative of our Government to attend the International Labor Conference now being held in Geneva, Switzerland.

The Senator from Florida [Mr. SMATHERS] is absent because of illness.

Mr. WHERRY. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Nebraska [Mr. BUTLER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Indiana [Mr. JENNER], and the Senator from North Dakota, Mr. LANGER, are absent on official business.

The Senator from Pennsylvania [Mr. MARTIN] is absent because of illness.

The Senator from Oregon [Mr. MORSE] and the Senator from New Hampshire [Mr. TOBEY] are absent by leave of the Senate.

The Senator from Massachusetts [Mr. SUTTONSTALL] is necessarily absent.

The VICE PRESIDENT. A quorum is present.

JOINT MEETING OF THE TWO HOUSES— ADDRESS BY PRESIDENT OF ECUADOR

Mr. McFARLAND. Mr. President, I move that the Senate stand in recess, to assemble in the Hall of the House of Representatives to hear an address to be delivered by the President of Ecuador, the Senate to reconvene upon the call of the Chair.

The motion was agreed to; and, (at 12 o'clock and 20 minutes p. m.) the Senate took a recess, subject to the call of the Chair.

The Senate, preceded by the Secretary, Leslie L. Biddle, the Sergeant at Arms, Joseph C. Duke, and the Vice President, proceeded to the Hall of the House of Representatives to greet and to listen to the address to be delivered by His Excellency Galo Plaza, President of Ecuador.

(For the address delivered by the President of Ecuador, see House proceedings, pp. 7060-7062.)

At 12 o'clock and 56 minutes p. m., the Senate returned to its Chamber, and reassembled when called to order by the Vice President.

MORNING BUSINESS

The VICE PRESIDENT. When the Senate recessed we were in the morning hour and the presentation of petitions and memorials was in order. If there are no petitions and memorials, reports of committees are in order.

MILITARY PROCUREMENT—REPORT OF SELECT COMMITTEE ON SMALL BUSINESS (REPT. NO. 469)

Mr. SPARKMAN, from the Select Committee on Small Business, submitted a report on Participation of Small Business in Military Procurement, which was ordered to be printed.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 21, 1951, he pre-

sented to the President of the United States the enrolled bill (S. 927) to amend section 6 of the Central Intelligence Agency Act of 1949.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LEHMAN (for himself, Mr. IVES, Mr. SPARKMAN, and Mr. KEFAUVER):

S. 1714. A bill for the establishment of a temporary National Advisory Committee for the Blind; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. LEHMAN when he introduced the above bill, which appear under a separate heading.)

By Mr. DWORSHAK:

S. 1715. A bill for the relief of Eli Neuhert and her two children; to the Committee on the Judiciary.

By Mr. WILEY:

S. 1716. A bill for the relief of Sister Odilia, also known as Maria Hutter; to the Committee on the Judiciary.

S. 1717. A bill to amend and extend the Defense Production Act of 1950 and the Housing and Rent Act of 1947, as amended, reported by Mr. MAYBANK, from the Committee on Banking and Currency, which was read twice by its title, and ordered to be placed on the Calendar.

(See the remarks of Mr. MAYBANK when he reported the above bill, which appear under a separate heading.)

By Mr. MCCARRAN:

S. 1718. A bill for the relief of Elizabeth Bozskik; to the Committee on the Judiciary.

TEMPORARY NATIONAL ADVISORY COMMITTEE FOR THE BLIND

Mr. LEHMAN. Mr. President, on behalf of myself, my colleague, the senior Senator from New York [Mr. IVES], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Tennessee [Mr. KEFAUVER], I introduce for appropriate reference a bill to establish a temporary national advisory committee for the blind. This bill differs from the one recently introduced by the junior and senior Senators from Delaware [Mr. FREAR and Mr. WILLIAMS] only in respect to the membership of the advisory committee to be established. I feel that the need for the study envisioned in this proposed legislation is important enough to warrant speedy approval by the Congress.

The bill (S. 1714) for the establishment of a temporary national advisory committee for the blind, introduced by Mr. LEHMAN (for himself and other Senators), was read twice by its title, and referred to the Committee on Labor and Public Welfare.

EXTENSION OF SUGAR ACT OF 1948— ADDITIONAL COSPONSORS OF BILL

Mr. ELLENDER. Mr. President, I ask unanimous consent that the names of the Senator from Nebraska [Mr. WHERRY], the junior Senator from Idaho [Mr. WELKER], the senior Senator from Idaho [Mr. DWORSHAK], the junior Senator from Utah [Mr. BENNETT], the senior Senator from Utah [Mr. WATKINS], the Senator from South Dakota [Mr. CASE], the Senator from Kansas [Mr. CARLSON], the Senator from Maryland [Mr. BUTLER], the Senator from Washington [Mr. CAIN], the Senator from New Mexico

[Mr. CHAVEZ], and the Senator from New York [Mr. LEHMAN] be added as cosponsors of the bill (S. 1694) to amend and extend the Sugar Act of 1948, and for other purposes, introduced on behalf of myself and other Senators on June 18, 1951.

The VICE PRESIDENT. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

ANNUAL AND SICK LEAVE PRIVILEGES TO CERTAIN INDEFINITE SUBSTITUTE POSTAL EMPLOYEES—AMENDMENTS

Mr. CARLSON submitted amendments intended to be proposed by him to the bill (H. R. 3605) to amend section 6 of Public Law 134, approved July 6, 1945, as amended, to grant annual and sick leave privileges to certain indefinite substitute employees in the postal service, which were ordered to lie on the table and to be printed.

ATTENDANCE OF MEMBERS OF THE SENATE AS OBSERVERS AT HEARINGS OR OTHER MEETINGS

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from the previous day, which will be read.

The resolution (S. Res. 137) submitted by Mr. WATKINS and Mr. FERGUSON on May 2, 1951, was read, as follows:

Resolved, That any Member of the Senate is authorized to attend as an observer any hearing or other meeting, whether executive or open, held by the Committees on Armed Services and Foreign Relations in accordance with the order of the Senate of April 25, 1951.

Mr. WHERRY. Mr. President, with reference to the resolution which the clerk has just read, it was submitted on May 2, 1951. Since that time, of course, the committees have met, and have considered American foreign policy so that even though the resolution is before the Senate for consideration, I suggest that it go over.

The VICE PRESIDENT. The resolution will go over.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. SMITH of North Carolina:

Address on the subject An Example of Private Enterprise, delivered by him on June 15, 1951, at the dedication of the Carolina Power & Light Co. plant at Goldsboro, N. C., and an editorial from the Kinston (N. C.) Daily Free Press.

By Mr. DUFF:

Address entitled "America's Obligation in Today's World," delivered by him to the graduating class of Lehigh University, Bethlehem, Pa., on Monday, June 18, 1951.

By Mr. JOHNSON of Texas:

Address delivered by the Secretary of the Treasury before the Bond Club of Chicago, Ill., on June 13, 1951.

By Mr. MAYBANK:

Commencement address entitled "Democracy Is Our Strength," delivered by Mrs. Ellen S. Woodward, Director of the Office of International Relations, Federal Security Agency, at Winthrop College, the South Carolina College for Women, at Rock Hill, S. C., on June 3, 1951.

By Mr. McFARLAND:

Article entitled "One Year of Korea," written by Ernest K. Lindley, and published in the June 25, 1951, issue of Newsweek.

By Mr. THYE:

Article entitled "Weak Air Force Due to Truman," written by David Lawrence and published in the Washington Evening Star of June 20, 1951.

By Mrs. SMITH of Maine:

A series of three articles entitled "Total War and Coexistence," by Walter Lippmann, published in the Washington Post.

By Mr. KILGORE:

Editorial regarding the Two Hundred and First Field Artillery Battalion of Fairmont, W. Va., published in the Fairmont (W. Va.) Times of June 20, 1951.

THE PRESIDENT OF ECUADOR

Mr. WILEY. Mr. President, if I may have a moment of the Senate's time, I should like to make reference to the President of Ecuador, who has just addressed the two Houses of Congress.

The VICE PRESIDENT. Without objection, the Senator from Wisconsin may proceed.

Mr. WILEY. I wish to say that I think the Senate, when it attended the joint meeting in the House of Representatives today, was privileged to hear one of the most cultured and remarkable addresses we have heard for a long time. The President of Ecuador is a great statesman. He was born in this country and lived in this country when he was a boy. He was educated here and absorbed many of our American ideas. His voice today was like a light shining from South America in behalf of the kind of collaboration which I am sure augurs a great deal of good for the future. We welcome him and his family to our shores. He is building well for Ecuador and both South and North America.

CALL OF THE ROLL—THE CALENDAR

Mr. McFARLAND. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Anderson	Green	McKellar
Bennett	Hayden	McMahon
Benton	Hendrickson	Millikin
Brewster	Hennings	Monroney
Bricker	Hickenlooper	Moody
Bridges	Hill	Mundt
Butler, Md.	Hoey	Neely
Byrd	Holland	Nixon
Cain	Humphrey	O'Mahoney
Capehart	Ives	Pastore
Carlson	Johnson, Colo.	Robertson
Case	Johnson, Tex.	Russell
Chavez	Kefauver	Schoeppel
Clements	Kerr	Smith, Maine
Connally	Kilgore	Smith, N. J.
Cordon	Knowland	Sparkman
Douglas	Lehman	Stennis
Duff	Lodge	Taft
Dworshak	Long	Thye
Eastland	Magnuson	Watkins
Eaton	Malone	Welker
Ellender	Maybank	Wherry
Ferguson	McCarran	Wiley
Flanders	McCarthy	Williams
Frear	McClellan	Young
Fulbright	McFarland	
George		

The PRESIDING OFFICER (Mr. Hoey in the chair). A quorum is present.

Under the order previously entered, the calendar will now be called, beginning with the first bill on the calendar. The Chair calls the attention of the Senate to the fact that this is a call of the

calendar for unobjected-to bills. If objection is made to a bill, the bill automatically goes over. When objection is made, if Senators will refrain from discussing the bill the Senate can proceed more rapidly.

The clerk will call the first bill on the calendar.

BILL PASSED OVER

The bill (S. 32) to amend title 28, United States Code, section 456, so as to increase to \$15 per day the limit on subsistence expenses allowed to justices and judges traveling while attending court or transacting official business at places other than their official stations and to authorize reimbursement for such travel by privately owned automobiles at the rate of 7 cents per mile, was announced as first in order.

Mr. DOUGLAS. Mr. President, I object.

The PRESIDING OFFICER. On objection, the bill will be passed over.

PROTECTION AGAINST MISBRANDING, ETC., OF FUR PRODUCTS AND FURS

The bill (S. 508) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs was announced as next in order.

Mr. ELLENDER. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. JOHNSON of Colorado subsequently said: Mr. President, I was out of the Chamber when Calendar No. 80, Senate bill 508, was called. Objection was raised to the bill, and it was ordered to go over. I ask unanimous consent that the bill may go to the foot of the calendar. I understand amendments have been prepared which would amend the bill in such a way that there would no longer be any objection to it.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the bill will be passed to the foot of the calendar.

The bill (S. 337) to amend the Public Health Service Act and the Vocational Educational Act of 1946 to provide an emergency 5-year program of grants and scholarships for education in the fields of medicine, osteopathy, dentistry, dental hygiene, public health and nursing professions, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. Mr. President, this is not the type of bill that should be passed on the call of the calendar. Therefore I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 618) to prohibit the parking of vehicles upon any property owned by the United States for postal purposes, was announced as next in order.

Mr. HENDRICKSON. Mr. President, I ask that this bill go over.

The PRESIDING OFFICER. The bill will be passed over.

EXCHANGE OF CERTAIN LANDS BELONGING TO THE DISTRICT OF COLUMBIA

The bill (S. 673) to permit the exchange of land belonging to the District of Columbia for land belonging to the

abutting property owner or owners, and for other purposes, was announced as next in order.

Mr. SCHOEPPPEL. Mr. President, reserving the right to object, I understand that some consideration has been given to an amendment to this measure. I send a copy of the amendment to the desk and ask that it be read.

The PRESIDING OFFICER. Without objection, the amendment will be read.

The CHIEF CLERK. On page 2, line 1, it is proposed to strike the period following "thereof" and insert a colon and the following: "Provided, That no such exchange shall be made unless the Commissioners of said District shall, 30 days prior thereto, publish in a newspaper of general circulation in the said District a notice of their intention to make such exchange and such notice shall include a description by lot or parcel number or otherwise of all lots or parcels to be exchanged and the appraised value thereof"; on page 2, lines 10 and 11, following the comma after "Commissioners", it is proposed to insert "on the basis of an appraisal"; on page 2, line 15, following the word "Commissioners", it is proposed to insert ", on the basis of an appraisal"; strike out section 2 in its entirety.

The PRESIDING OFFICER. Does the Senator from Kansas object to consideration of the bill?

Mr. SCHOEPPPEL. I reserve the right to object, unless this amendment is agreed to. I understand that it has been considered, and is acceptable.

The PRESIDING OFFICER. The Senate cannot consider amendments until the bill is before the Senate.

Mr. SCHOEPPPEL. I withdraw the objection so that the amendment may be offered.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHOEPPPEL. Mr. President, I now offer the amendment which has been read.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kansas.

THE LOYALTY PROGRAM

Mr. MCCARTHY. Mr. President, I shall take the 5 minutes allowed under the rule to bring to the attention of the Senate certain facts which I believe it will find of interest. When first these facts were brought to my attention I could not believe them, and I did not want to give this information to the Senate until I got some confirmation in writing, which I now have.

I find that as of today charges have been filed in the State Department against Philip C. Jessup and John Carter Vincent under the loyalty program, and that both cases are pending before the Loyalty Board.

This is not a routine filing of charges. I find that in October of last year, Mr. Humelsine, who heads the loyalty program, issued a memorandum covering the filing of charges. In that memo-

TAKING AND DESTRUCTION OF DANGEROUS WEAPONS IN CERTAIN CASES

The Senate proceeded to consider the bill (S. 493) to require the taking and destruction of dangerous weapons in certain cases, and for other purposes, which had been reported from the Committee on the District of Columbia with amendments on page 4, line 14, after the word "carried", to strike out "with the knowledge or consent of the claimant" and insert "by the claimant or with his knowledge or consent", and in line 25, after the word "destroyed", to insert "In lieu of such destruction, any such serviceable dangerous article may, upon order of the Commissioners of the District of Columbia, be transferred to and used by any Federal or District Government law-enforcing agency, and the agency receiving same shall establish property responsibility and records of these dangerous articles.", so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes," approved July 8, 1932 (D. C. Code, 1940 edition, secs. 22-3201 to 22-3216), is hereby amended by adding at the end thereof the following new section:

"Sec. 18. (a) As used in this section, the term 'dangerous article' means (1) any weapon such as a pistol, machine gun, sawed-off shotgun, blackjack, slingshot, sandbag, or metal knuckles, or (2) any instrument, attachment, or appliance for causing the firing of any firearms to be silent or intended to lessen or muffle the noise of the firing of any firearms.

"(b) A dangerous article unlawfully owned, possessed, or carried is hereby declared to be a nuisance.

"(c) When a police officer, in the course of a lawful arrest or lawful search, discovers a dangerous article which he reasonably believes is a nuisance under subsection (b) he shall take it into his possession and surrender it to the property clerk of the Metropolitan Police Department.

"(d) (1) Within 30 days after the date of such surrender, any person may file in the office of the property clerk of the Metropolitan Police Department a written claim for possession of such dangerous article. Upon the expiration of such period, the property clerk shall notify each such claimant, by registered mail addressed to the address shown on the claim, of the time and place of a hearing to determine which claimant, if any, is entitled to possession of such dangerous article. Such hearing shall be held within 60 days after the date of such surrender.

"(2) At the hearing the property clerk shall hear and receive evidence with respect to the claims filed under paragraph (1). Thereafter he shall determine which claimant, if any, is entitled to possession of such dangerous article and shall reduce his decision to writing. The property clerk shall send a true copy of such written decision to each claimant by registered mail addressed to the last known address of such claimant.

"(3) Any claimant may, within 30 days after the day on which the copy of such decision was mailed to such claimant, file an appeal in the municipal court for the District of Columbia. If the claimant files an appeal, he shall at the same time give written notice thereof to the property clerk. If the decision of the property clerk is so appealed, the property clerk shall not dispose of the dangerous article while such appeal is pending and, if the final judgment is entered by

such court, he shall dispose of such dangerous article in accordance with the judgment of such court. The municipal court for the District of Columbia is authorized to determine which claimant, if any, is entitled to possession of the dangerous article and to enter a judgment ordering a disposition of such dangerous article consistent with subsection (f).

"(4) If there is no such appeal, or if such appeal is dismissed or withdrawn, the property clerk shall dispose of such dangerous article in accordance with subsection (f).

"(5) The property clerk shall make no disposition of a dangerous article under this section, whether in accordance with his own decision or in accordance with the judgment of the municipal court for the District of Columbia, until the United States attorney for the District of Columbia certifies to him that such dangerous article will not be needed as evidence.

"(e) A person claiming a dangerous article shall be entitled to its possession only if (1) he shows on satisfactory evidence that he is the owner of the dangerous article or is the accredited representative of the owner, and that the ownership is lawful; and (2) he shows on satisfactory evidence that at the time the dangerous article was taken into possession by a police officer it was not unlawfully owned and was not unlawfully possessed or carried by the claimant or with his knowledge or consent; and (3) the receipt of possession by him will not cause the article to be a nuisance. A representative is accredited if he has a power of attorney from the owner.

"(f) If a person claiming a dangerous article is entitled to its possession as determined under subsections (d) and (e), possession of such dangerous article shall be given to such person. If no person so claiming is entitled to its possession as determined under subsections (d) and (e), or if there be no claimant, such dangerous article shall be destroyed. In lieu of such destruction, any such serviceable dangerous article may, upon order of the Commissioners of the District of Columbia, be transferred to and used by any Federal or District Government law-enforcing agency, and the agency receiving same shall establish property responsibility and records of these dangerous articles.

"(g) The property clerk shall not be liable in damages for any action performed in good faith under this section."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF SECTION 824 OF THE CODE OF LAWS FOR THE DISTRICT OF COLUMBIA

The bill (S. 258) to amend section 824 of the Code of Laws for the District of Columbia was announced as next in order.

The PRESIDING OFFICER. Is there objection?

Mr. SCHOEPPPEL. May we have an explanation of this bill?

Mr. WELKER. Mr. President, Senate bill 258, Calendar No. 419, was reported unanimously by the Committee on the District of Columbia, after having taken testimony, which showed to the committee that, because of the lack of proper legislation, it was possible for vandals and trespassers within the District of Columbia actually to invade public buildings, completely wreck them, and be subject to no process whatever under the peculiar laws of the District. I felt at the time that the general law, or the old

common law of malicious mischief, would cover such offenses, but upon investigation, and interrogation of the Corporation Counsel, we found that, within the District there is no law applicable.

A custodian or an officer on public ground, or in a public building, without process, can evict a trespasser therefrom, but I call the attention of the Senate to the startling testimony which was taken before the committee to the effect that actual sexual perverts, men who were waiting to commit the overt act, would lie in wait, lurking around different school grounds within the District of Columbia, and school officials and the police department were helpless to evict them or to do anything else about it.

This bill gives custodians and police officers the power to evict trespassers from school grounds. Upon careful examination, and after listening to the testimony of some of the school principals in the District of Columbia who testified in behalf of this bill, and after listening to the testimony of members of the police department, I have reached the conclusion that the bill would be sound legislation.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 824 of the Code of Laws for the District of Columbia, as amended, is hereby amended to read as follows:

"Sec. 824. Unlawful entry on public or private property: Any person who, without lawful authority, shall enter, or attempt to enter, any public or private dwelling, building, or other property, or part of such dwelling, building, or other property against the will of the lawful occupant or of the person lawfully in charge thereof, or being therein or thereon, without lawful authority to remain therein or thereon shall refuse to quit the same on the demand of the lawful occupant, or of the person lawfully in charge thereof, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine not exceeding \$50 or imprisonment in jail for not more than 6 months, or both, in the discretion of the court."

AUTHORITY FOR PRESIDENT TO SET ASIDE CERTAIN REQUIREMENTS OF NAVY AND MARINE CORPS SECTIONS OF OFFICER PERSONNEL ACT

The bill (H. R. 4200) to make certain revisions in titles I through IV of the Officer Personnel Act of 1945, as amended, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. The Chair understands that this bill is largely a companion bill to Senate bill 841, Calendar 292.

Mr. STENNIS. Mr. President, as the Chair has stated, this is largely a companion bill to Senate bill 841, Calendar 292, which was sent to the foot of the Calendar when called a few moments ago. The principal purpose of this bill is to take care of a situation arising under the present law, which was enacted largely for peacetime purposes. Under that law there is a very rigid rule which applies to the promotion of naval officers.

Briefly stated, under the rule, when an officer is not promoted the second time he comes up before the Board of Promotion, he automatically goes out of the service, even though he may be fully qualified and competent to fill the role of the office which he has been holding.

Under the operation of that rule, approximately 300 officers will have to go out of the service on June 30 of this year, unless a new rule is adopted. This bill is designed to supply such a rule. In substance, it merely gives the President the authority during war, or during the existence of a declared emergency, to suspend the operation of the present rule.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill.

Mr. BUTLER of Maryland. Mr. President, I send to the desk an amendment to the bill, which I ask to have read. The amendment which I offer will be found in the report of the Committee on Armed Services, of June 23, 1949, on Senate bill 780, Calendar 559, Report No. 562.

The PRESIDING OFFICER. The clerk will read the amendment.

The LEGISLATIVE CLERK. At the proper place in the bill, it is proposed to insert:

SEC. 3. That the Secretary of the Navy is directed to appoint a board of commissioned naval and Marine Corps officers within 6 months of the date of approval of this act to review the records of commissioned officers on the active or retired list of the Regular Navy and Marine Corps who failed of advancement at any time between June 30, 1942, and August 7, 1947, to determine if there was any error, administrative delay, oversight, or injustice that caused the officer concerned to fail of an advancement in grade or rank which would otherwise have been made. The board shall consider all matters of record and receive new matter introduced by affidavit, deposition, or personal appearance of the officer concerned at his own request in order to determine whether or not any error, oversight, administrative delay, or injustice operated to the disadvantage of the officer concerned and caused a failure of advancement otherwise due.

SEC. 4. Upon the determination by the board that an error, oversight, administrative delay, or injustice occurred that substantially prejudiced the officer concerned, the board shall consider, determine, and recommend the grade or rank to which the officer so prejudiced shall be advanced and the date of commission which should be issued in order to restore such officer to the position on active duty or on the retired list which he would have occupied but for the error, oversight, administrative delay, or injustice: *Provided*, That no advancement to a grade or rank higher than that of captain in the Navy or colonel in the Marine Corps shall be recommended by the board.

SEC. 5. The Secretary of the Navy shall review the recommendations of the board and, in any case approved by him shall promote such officer, subject to the approval of the President in each case, to such grade or ranks as the board may recommend and issue a commission with the date of rank recommended by the board. The approval or disapproval of the President in each case shall finally and conclusively determine the rights of officers concerned: *Provided*, That no officer who is on the retired list on the date of approval of this act shall be placed on active duty by the operation of this act.

SEC. 6. The pay and allowances of any such officer advanced to a higher grade or rank in accordance with the provisions of this act shall commence on the date of the approval of his case by the President, and shall be the pay allowances of an officer of similar length of service in the grade or rank to which advanced. Officers advanced in accordance with the provisions of this act, if in excess of the authorized number of the grade to which promoted, shall be carried as extra numbers in that grade.

SEC. 7. Officers on the active list advanced under the provisions of this act shall be promoted by the Secretary of the Navy only after establishing their fitness for promotion in accordance with sections 1493 and 1496 of the Revised Statutes.

Mr. BUTLER of Maryland. Mr. President, the amendment is identical with the bill which was passed by the Senate at the last session. It affects only two officers. I think the Senators who considered the matter in the Armed Services Committee felt that some injustice has been done these men. They recommended that the bill pass, and it did pass the Senate, but was held up in the House. I feel it is only common justice that the amendment be accepted by the committee so that it can be taken to conference.

Mr. STENNIS. Mr. President, the amendment is substantially the same, as the Senator has stated, as the bill which passed the Eighty-first Congress on the same subject.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maryland.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read the third time.

The bill was read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 841 is indefinitely postponed.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 927) to amend section 6 of the Central Intelligence Agency Act of 1949, and it was signed by the Vice President.

PROTECTION AGAINST MISBRANDING, ETC., OF FUR PRODUCTS AND FURS

The bill (H. R. 2321) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs, was announced as next in order.

Mr. LODGE. Mr. President, I ask that the bill go over.

Mr. JOHNSON of Colorado. Mr. President, House bill 2321 is the same as Senate bill 508, Calendar No. 80 which has been placed at the foot of the calendar. Would the Senator from Massachusetts be willing to let this bill go to the foot of the calendar?

Mr. LODGE. Mr. President, the amendment which I propose to offer is specifically to the Senate bill. While

the House bill is similar in tone, it is not identical, and I wish to offer my amendment to the Senate bill.

Mr. JOHNSON of Colorado. That is the bill to which we want the amendment to be offered.

Mr. LODGE. I shall be glad to withdraw my objection so that House bill 2321, Calendar No. 422, may go to the foot of the calendar with Senate bill 508, Calendar No. 80.

The PRESIDING OFFICER. Without objection, it is so ordered.

GRANT OF ANNUAL AND SICK LEAVE BENEFITS TO CERTAIN EMPLOYEES IN POSTAL SERVICE

The bill (H. R. 3605) to amend section 6 of Public Law 134, approved July 6, 1945, as amended, to grant annual and sick leave privileges to certain indefinite substitute employees in the postal service, was announced as next in order.

Mr. HENDRICKSON. Reserving the right to object, I wish we might have a statement or estimate of the cost of this bill.

Mr. PASTORE. Mr. President, all this bill does is to extend to temporary employees the same annual and sick leave privileges now being enjoyed by permanent postal employees.

Mr. HENDRICKSON. I take it, then, there is no cost involved in the bill?

Mr. PASTORE. I should think there would be. It is a privilege which they are not now enjoying, and if they are going to enjoy the privilege it will cost some money.

Mr. HENDRICKSON. I am interested in knowing the actual cost.

Mr. CARLSON. Mr. President, I think the report states that there will be no additional cost for the present fiscal year. It is true that there will be additional cost, but not for the present fiscal year, because it was anticipated when the budget for the Post Office Department was presented to Congress.

Mr. HENDRICKSON. What will the cost be next year?

Mr. CARLSON. I do not believe I can give the distinguished Senator a correct estimate of the cost, because I did not inquire. But if the Senator from New Jersey will be kind enough to withhold his objection, I should like to offer an amendment.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 3605) to amend section 6 of Public Law 134, approved July 6, 1945, as amended, to grant annual and sick leave privileges to certain indefinite substitute employees in the postal service.

Mr. CARLSON. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 2, between lines 9 and 10, it is proposed to insert a new section, as follows:

SEC. 2. Such section is further amended by (a) striking out "fifteen" wherever it appears and inserting in lieu thereof "twenty," and (b) by striking out "one and one-quarter" and inserting in lieu thereof "one and two-thirds."

fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

VALMAI EILEEN MACKENZIE

The Senate proceeded to consider the bill (S. 1504) for the relief of Valmai Eileen Mackenzie which had been reported from the Committee on the Judiciary with an amendment in line 6, after the words "date of", to strike out "her last entry into the United States" and insert "the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Valmai Eileen Mackenzie shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SPECIAL QUOTA IMMIGRATION VISAS FOR CERTAIN ALIEN SHEEPHERDERS

The bill (S. 1696) to amend Public Law 587 of the Eighty-first Congress (approved June 30, 1950) to provide relief for the sheep-raising industry by making special quota immigration visas available to certain alien shepherders, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, Public Law 587, Eighty-first Congress (approved June 30, 1950) is amended as follows: Strike out the following language appearing in lines 3 and 4 "of 1 year after the effective date of this act", and insert in lieu thereof the following: "ending December 31, 1951".

DR. GIUSEPPE MAZZONE

The bill (H. R. 895) for the relief of Dr. Giuseppe Mazzone was considered, ordered to a third reading, read the third time, and passed.

MRS. CLARA RAFFLOER DROESSE

The bill (H. R. 896) for the relief of Mrs. Clara Raffloer Droesse was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 997) for the relief of William J. Drinkwine was announced as next in order.

Mr. HENDRICKSON. Mr. President, I ask that the bill go over for further study.

The PRESIDING OFFICER. Objection is heard. The bill will go over.

Mr. McCARRAN. Mr. President, it seems to me that the suggestion made by the Senator from New Jersey is a very good one. I think that all private bills carrying amounts of money which have been put on the calendar today should go over, with the understanding that they will be taken up at the next call of

the calendar, if that kind of understanding can be entered into.

Mr. HENDRICKSON. I believe the Senator from Nevada is offering a very wise suggestion.

The PRESIDING OFFICER. Objection is heard. The bill will go over.

Mr. McCARRAN. The same understanding should apply to all claim bills which were placed on the calendar today.

The bill (H. R. 1443) for the relief of Paul Matelli was announced as next in order.

The PRESIDING OFFICER. The bill will go over.

BERNARD SPIELMANN

The bill (H. R. 1840) for the relief of Bernard Spielmann was considered, ordered to a third reading, read the third time, and passed.

JINDRICH (HENRI) NOSEK AND MRS. ZDENKA NOSEK

The bill (H. R. 2310) for the relief of Jindrich (Henri) Nosek and Mrs. Zdenka Nosek was considered, ordered to a third reading, read the third time, and passed.

BASIC AUTHORITY FOR CERTAIN ACTIVITIES OF THE UNITED STATES SECRET SERVICE

The Senate proceeded to consider the bill (H. R. 2395) to amend title 18 of the United States Code, entitled "Crimes and Criminal Procedure," to provide basic authority for certain activities of the United States Secret Service, and for other purposes, was announced as next in order.

Mr. SCHOEPPPEL. Mr. President, reserving the right to object, may we have an explanation of the bill?

Mr. McCARRAN. Mr. President, for some time the Secret Service Division of the Department of the Treasury has been seeking legislation which would incorporate into one statute the authorization for their various activities, which authorization has, in the past, been contained for the most part in annual reenactments of provisions of appropriation acts. This bill accomplishes that purpose.

In addition, it creates two new offenses relating to the mutilation of coins, and also broadens a section of the criminal code, so as to permit the reproduction of pictures of coins in school textbooks and related types of professional publications.

Mr. SCHOEPPPEL. I have no objection.

Mr. CASE. Mr. President, will the Senator yield for a question?

Mr. McCARRAN. Yes.

Mr. CASE. This bill presumably would create legislative authority for the activities of the United States Secret Service, so that its appropriations would not be subject to a point of order in the House of Representatives.

Mr. McCARRAN. That is correct.

Mr. CASE. The bill has nothing to do with wire-tapping, has it?

Mr. McCARRAN. No. Such a bill will never have the approval of the chairman of the Judiciary Committee.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment, on page 4, line 8, after the word "States", to strike out "in connection with" and insert "directly concerning."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

SHIZUE SAKURADA

The bill (H. R. 2853) for the relief of Shizue Sakurada was considered, ordered to a third reading, read the third time, and passed.

DOROTHY FUMIE MAEDA

The bill (H. R. 2854) for the relief of Dorothy Fumie Maeda was considered, ordered to a third reading, read the third time, and passed.

ROSINA MOURADIAN

The bill (H. R. 3063) for the relief of Rosina Mouradian was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 3217) for the relief of the Peerless Casualty Co. and of Charles E. Nelson and Irwin I. Main was announced as next in order.

Mr. McCARRAN. Mr. President, this bill should go over.

The PRESIDING OFFICER. Under the previous objection, the bill will be passed over.

EXTENSION OF TIME FOR COMPLETING CONSTRUCTION OF TOLL BRIDGE ACROSS DELAWARE RIVER NEAR WILMINGTON, DEL.

The bill (H. R. 4338) to extend the time for completing the construction of a toll bridge across the Delaware River near Wilmington, Del., was considered, ordered to a third reading, read the third time, and passed.

PROTECTION AGAINST MISBRANDING, ETC., OF FUR PRODUCTS AND FURS

The PRESIDING OFFICER. That completes the call of the calendar, except for bills which previously were passed over and were placed at the foot of the calendar.

Mr. HENDRICKSON. Mr. President, I now ask unanimous consent that the Senate proceed to the consideration of Senate bill 1590, Calendar 416, a bill to extend and revise the District of Columbia Emergency Rent Act.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of Colorado. Mr. President, reserving the right to object, we have not yet completed action on the bills which have been placed at the foot of the calendar. Senate bill 508, Calendar 80, in regard to the branding and advertising of furs and fur products, was placed at the end of the calendar. After it is disposed of, I shall have no objection to the request the

Senator from New Jersey has made. However, Senate bill 508 is in order at this time.

Mr. HENDRICKSON. Senate bill 1590 is in the same category.

Mr. JOHNSON of Colorado. But Senate bill 508 comes first.

Mr. HENDRICKSON. Very well; I have no objection.

Mr. JOHNSON of Colorado. Mr. President, I now ask that Senate bill 508 be considered.

The PRESIDING OFFICER. The bill will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 508) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. LODGE. Mr. President, I wish to offer amendments to the bill on pages 5, 7, and 8. The amendments have been printed, and I now send them to the desk.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. LEHMAN. Mr. President, reserving the right to object, let me say that I have received from the fur wholesalers and dealers in New York many communications concerning this bill, as it was originally introduced, and even as it has been reported by the committee.

I have been advised that the main objections to the bill would seem to be met by the amendments which have been submitted by the Senator from Massachusetts. Those amendments do not do violence to the rights of consumers, for whose protection the bill is designed.

Therefore, Mr. President, I shall not object to the bill if the amendments of the Senator from Massachusetts are adopted.

However, I have received from the Resident Commissioner of Puerto Rico a letter pointing out that this bill sets forth a definition of jurisdiction which unfortunately transgresses upon the right of Puerto Rico to govern its own internal commerce on the same basis as any State does. If this particular bill affected Puerto Rico more extensively, I would object to it on the basis stated. However, there is no substantial trade in furs in Puerto Rico. Hence, I merely ask that the letter from Commissioner FERNÓS-ISERN be printed in the RECORD. I hope that future legislation coming from the Interstate and Foreign Commerce Committee will not violate the dignity of the essential rights of Puerto Rico.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 20, 1951.

HON. JOSEPH C. O'MAHONEY,
Senate of the United States,
Washington, D. C.

DEAR SENATOR O'MAHONEY: On June 18, H. R. 2321 entitled "A bill to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs" was brought up before the House. Unfortunately, when I arrived on the

floor, the bill was already being amended and immediately reported by the Committee of the Whole to the House. It was at that time that I realized that the bill included language on page 3, line 9, which, as you may see reads "or within any Territory or possession or the District of Columbia". This language is to be found in several other interstate commerce laws which are made applicable to Territories and possessions.

H. R. 2321 is not in itself important to Puerto Rico, whether it has one language or another, but as a matter of principle, I believe that if Puerto Rico is to be self-governing, the regulation of its internal trade should be in the hands of the Puerto Rican Legislature as it is in the hands of State legislatures in the case of the States. I presume the language in this bill, as well as in others, is an inadvertency but I believe it should be corrected.

The people of Puerto Rico, as you know, voted for the Constitutional Government Act. Certain sections of the old Organic Act will continue to constitute the Puerto Rican Federal Relations Statute. Section 9 of the statute reads "that the statutory laws of the United States not locally inapplicable, except as hereinbefore or hereinafter otherwise provided, shall have the same force and effect in Puerto Rico as in the United States," etc. No special provision is made in the statute concerning commerce between Puerto Rico and the United States except in what pertains to the inapplicability of tariffs and to other tax provisions. Consequently, there is no special provision for other regulations on commerce.

If I am correct, the interpretation would be that interstate commerce laws will apply in the case of Puerto Rico equally as if Puerto Rico were a State, except insofar as the statute of relations, itself, may otherwise provide or except where the particular interstate commerce law might carry specific provisions for Puerto Rico. The latter would be tantamount to an amendment by addition to the statute of relations.

As H. R. 2321 stands now, it would not only regulate commerce between Puerto Rico and the mainland but would regulate commerce within Puerto Rico to an extent it could not be constitutionally regulated within a State.

I bring this matter to your attention because I am sure that, as the sponsor of the great piece of legislation which the Congress passed in 1950 and which the people of Puerto Rico so jubilantly accepted in 1951, you will be interested in looking into the matter.

Very respectfully,

A. FERNÓS-ISERN,
Resident Commissioner of Puerto Rico.

Mr. LEHMAN. Mr. President, I withhold the objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 508) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs.

Mr. LODGE. Mr. President, I now offer the amendments which I have sent to the desk.

The PRESIDING OFFICER. The amendments will be stated.

The CHIEF CLERK. On page 5, line 6, immediately following the comma, it is proposed to insert the following: "or any person selling, advertising, offering for sale, or processing a fur product otherwise than in or for commerce, but which has theretofore been shipped and received in commerce."

On page 7, between lines 6 and 7, it is proposed to insert the following new sentence: "Notwithstanding paragraph (3) of this section, a fur product which is processed to simulate another fur shall not be considered to be misbranded if the label required by paragraph (2) (A) of this section sets forth the name or names of the animal or animals that produced the fur, as provided in such paragraph (2) (A), followed by appropriate language indicating that such fur product has been processed to resemble or simulate the fur of another animal."

On page 8, between lines 11 and 12, it is proposed to insert the following new sentence: "Notwithstanding paragraph (5) of this subsection, a fur product or fur which is processed to simulate another fur shall not be considered to be falsely or deceptively advertised if any advertisement, representation, public announcement, or notice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of such fur product or fur contains the name or names of the animal or animals that produced the fur, as required by paragraph (1) of this subsection, followed by appropriate language indicating that such fur product or fur has been processed to resemble or simulate the fur of another animal."

Mr. LODGE. Mr. President, the purpose of the proposed amendment to section 3 (E) of the fur-labeling bill is to enable a retailer to substitute his own label for that of the manufacturer, jobber, wholesaler, or other person whose name or other identification would be required by the law to be on the label of every fur product introduced or sold in commerce.

The retailer is denied the right of substitution under the proposed act. The present wording of section 3 (E) would limit the right of a retailer to substitute his own label for the label of his source only to those garments sold by the retailer in commerce. Since the overwhelming proportion of the average retailer's transactions are not in commerce, he would be seriously and severely handicapped.

The restriction imposed on the retailer by the present wording of section 3 (E) would result in disclosure to both consumer and competitor of the retailer's source of supply. The consumer, with knowledge of the retailer's source, would be lured thereto and would thus aggregate the long-existing evil of wholesale-retailing. The competitor would have easy access to the precious trade secrets which his business rival has assiduously cultivated.

The proposed amendment would not weaken in the slightest the protection afforded the consumer against misbranding and false advertising. The retailer would continue to be bound by the affirmative disclosure requirements of the proposed act.

Mr. President, I should like to make the following statement in explanation of the amendments I am offering on pages 7 and 8:

Under the terms of the present bill the label required to be placed on every fur garment or in advertising of a fur

garment cannot contain the name of a fur other than that of which the garment is made. It is proposed that this restriction be modified to permit the use in labeling and advertising of a legend which would indicate that a fur or fur product has been processed to simulate another fur when such is the case.

This type of labeling or advertising could not be considered deceptive or misleading in any respect. The true name of the fur would be clearly and directly set forth, followed by a straightforward statement of the fact that it has been dyed or processed to resemble another fur. There would thus be no possibility of confusion in the mind of the consumer.

Such an amendment would save the retailer the complete loss of this type of advertising and the consequent loss of substantial trade. There is tremendous appeal to a large segment of the fur-consuming public in the opportunity to purchase a relatively inexpensive fur garment that is dyed or processed in a fashion to make it resemble an expensive and elegant fur. The bill, as presently worded, would in effect prohibit the advertising of such processed garments.

Mr. President, the advocates of these amendments submit to me that they will make the bill more fair and workable, without detracting from its underlying purposes.

I hope the amendments will be adopted.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

The question is on agreeing to the amendments submitted by the Senator from Massachusetts.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JOHNSON of Colorado. Mr. President, House bill 2321, Calendar 422, deals with the same subject. I now move that the Senate proceed to consider that bill.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 2321) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs.

Mr. JOHNSON of Colorado. Mr. President, I now move that all after the enacting clause be stricken out, and that in lieu thereof there be inserted the text of Senate bill 508 as amended by the amendments of the Senator from Massachusetts.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado.

The motion was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 508 is indefinitely postponed.

TREATMENT OF POWERS OF APPOINTMENT FOR ESTATE AND GIFT-TAX PURPOSES

Mr. GEORGE. Mr. President, I wish to call up Calendar No. 359, House bill 2084, to which objection was made by the Senator from Minnesota, and which was placed at the foot of the calendar. I understand that the objection of the Senator from Minnesota is withdrawn. I ask unanimous consent that the Senate now proceed to the consideration of House bill 2084.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 2084) relating to the treatment of powers of appointment for estate and gift-tax purposes, reported from the Committee on Finance, with amendments.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendments on page 2, line 7, after "subsection (c)" to insert "or (d)"; in line 8, after the word "power", to insert "or the complete release of such a power"; in line 10, after the word "before", to strike out "July 1, 1951," and insert "November 1, 1951,"; on page 3, line 3, after "subsection (c)", to strike out the semicolon and "but if such a power lapses during the life of the individual possessing the power, the failure to exercise such power shall not be deemed an exercise or a release of the power" and insert "or (d)"; on page 6, line 7, after the word "first", to strike out "power." and insert "power."

"(5) Lapse of power: The lapse of a power of appointment created after October 21, 1942, during the life of the individual possessing the power shall be considered a release of such power. The rule of the preceding sentence shall apply with respect to the lapse of powers during any calendar year only to the extent that the property which could have been appointed by exercise of such lapsed powers exceeded in value, at the time of such lapse, the greater of the following amounts:

"(A) \$5,000, or

"(B) Five percent of the aggregate value, at the time of such lapse, of the assets out of which, or the proceeds of which, the exercise of the lapsed powers could have been satisfied."

On page 7, line 19, after the word "power", to insert "or the complete release of such a power"; in line 22, after the word "before", to strike out "July 1, 1951," and insert "November 1, 1951,"; on page 8, line 7, after the word "exercise", to strike out "or release"; in line 8, after the numerals "1942", to insert "or the release after May 31, 1951, of such a power"; in line 11, after the word "power", to strike out the semicolon and "but if such a power lapses during the life of the individual possessing the power, the failure to exercise such power shall not be deemed an exercise or a release of the power.", and on page 11, line 9, after the word "such", to strike out "power." and insert: "power."

"(5) Lapse of power: The lapse of a power of appointment created after

October 21, 1942, during the life of the individual possessing the power shall be considered a release of such power. The rule of the preceding sentence shall apply with respect to the lapse of powers during any calendar year only to the extent that the property which could have been appointed by exercise of such lapsed powers exceeds in value the greater of the following amounts:

"(A) \$5,000, or

"(B) 5 percent of the aggregate value of the assets out of which, or the proceeds of which, the exercise of the lapsed powers could be satisfied."

Mr. GEORGE. Mr. President, I wish to file a statement. This is a highly technical matter, and these powers of appointment must be released under the present law by June 30, 1951, or else they will be subject to certain estate and gift taxes. I wish to file a statement in connection with this bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GEORGE

The report gives a detailed description of the provisions of the bill.

We have had considerable difficulty in determining how powers of appointment should be treated under the estate- and gift-tax laws. Prior to the Revenue Act of 1942, a power of appointment was subject to estate or gift tax only if it were a general power, then only if it were exercised. Beginning with the 1942 Revenue Act, powers of appointment were taxed whether exercised or not, with the exception of two specified classes of powers. One exception related to the power to appoint only to certain near relatives. The other exception was intended to exempt fiduciary powers, but the language failed to accomplish the purpose intended. This language could be construed to extend to emergency powers to invade principal, discretionary powers given to trustees and other types of powers which had not heretofore been regarded as powers of appointment. In 1942 there had been in existence a great many powers which had been created many years before and in reliance upon the law as it then existed. The impracticability of reviewing all of the wills and trust agreements in force in 1942 to determine whether any such taxable powers were contained therein and, if so, whether such powers could be released would have been an almost impossible task. Recognizing this, the Congress has been granting a series of extensions under which powers of appointment created prior to the Revenue Act of 1942 may be released without being subject to estate- or gift-tax liability. The last date for the release of such powers is June 30, 1951.

This bill is the result of studies which have been undertaken by the American Bar Association, the Treasury Department, and our staff of the Joint Committee on Internal Revenue Taxation, in an effort to find a solution for this problem. It is a compromise bill, designed to meet conflicting views, and has the approval of the Treasury Department.

The bill subjects to estate and gift tax only general powers of appointment, and it provides a clear and workable definition of a general power of appointment. The bill defines a general power of appointment as a power which is exercisable in favor of the holder, his estate, his creditors, or the creditors of his estate, but not including a power to consume or invade, which is limited by an ascertainable standard relating to the health, education, support, or maintenance

of the holder of the power. In the case of a power created on or before the effective date of the Revenue Act of 1942, a power of appointment is not considered a general power if it is a joint power—that is, a power which can be exercised only with the consent or joinder of another person. In the case of a power created after October 21, 1942, the definition of a general power does not include a joint power where the coholder of the power has a substantial adverse interest to exercise of the power in favor of the decedent. The bill contains detailed rules on the extent to which post-1942 joint powers shall be considered as limited by substantial adverse interests.

The provisions of the bill which deal with taxation of powers created before the Revenue Act of 1942 recognize the injustices which would be caused by forcing the holders of these powers to face the alternative of either upsetting those old property dispositions or else being taxed on the powers even though they were not exercised. The bill provides for estate or gift tax on these old powers only if they are actually exercised. A release of one of these powers at any time is not taxed. Your committee has made this point perfectly clear by an amendment which provides that the complete release of such a power shall not be deemed an exercise thereof.

The bill also provides specifically that where a power created before the Revenue Act of 1942 is partially released prior to November 1 of this year, a subsequent exercise of the special power which is retained shall not be taxable. Of course, the partial release of such a power, whether the partial release occurs before or after November 1, is not a taxable event by itself. However, if the partial release occurs after November 1 and there is a subsequent exercise of the special power which is retained, then that subsequent exercise will be a taxable event.

The bill as it came over from the House contained a July 1, 1951, date instead of the November 1 date. Your committee extended this period for partial release without tax on a subsequent exercise to November 1 in order to provide the holders of these old powers with an opportunity to make a final decision on their course of action after this bill becomes law. The period up to November 1 is adequate for this purpose and, since this bill provides a final solution of the problems with respect to preexisting powers, it will not be necessary to ask the Congress to make any further extensions of this date.

The bill subjects to estate or gift tax both the exercise and the release of a general power of appointment created after October 21, 1942. These powers will also be subject to estate tax where they are held by the decedent until his death without being exercised. Since the release of the post-1942 power is taxable, the question arises as to the proper treatment of a power which lapses during the life of the holder. This problem arises principally in the case of noncumulative annual powers to invade trust property up to a certain specified amount. The House bill provided that where such a power lapses without being exercised, no estate or gift tax would result from this lapse. Your committee has modified this provision in the House bill so as to provide that no estate or gift tax will result from the lapse of these powers to the extent of \$5,000 or 5 percent of the trust property, whichever is greater, in each year. Your committee believes that this limited exemption is adequate to take care of the common case where a widow or other relative is given the income from property and a noncumulative power to invade the property at her discretion in case the income is not adequate.

Your committee has also amended the gift-tax provisions of the bill so as to prevent the retroactive application of the gift tax to the release of a post-1942 power where the release occurred before June 1 of this year.

This was necessary because, under the periodic extensions of the tax-free release provisions since 1942, the release of such a power has been exempted from gift tax.

This bill provides a definite and final solution for the powers-of-appointment problem which has been before Congress since the enactment of the unduly restrictive provisions of the 1942 act.

While the bill, in my opinion, is not as satisfactory as I would like in its treatment of future powers, that is, powers created after the Revenue Act of 1942, it goes a long way toward relieving a situation which would be intolerable if the provisions of the 1942 law were permitted to come into force and operation. As to the old powers created prior to the 1942 law, the bill provides a complete solution by taxing only general powers and then only if such powers are exercised. As to future powers, the bill does subject to tax the nonexercise of a general power, but the powers to be so taxed are much more narrowly defined than under the 1942 law, and fiduciary powers are completely exempt.

Mr. GEORGE. I understand that the Senator from Minnesota [Mr. HUMPHREY] also has prepared a statement which he desires to place in the RECORD.

Mr. LEHMAN. Mr. President, I have been requested by the junior Senator from Minnesota [Mr. HUMPHREY] to ask unanimous consent to insert in the RECORD at this point a statement prepared by him regarding this bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

H. R. 2084, POWERS OF APPOINTMENT ACT OF 1951

I want the RECORD to show that I am not approving the bill H. R. 2084. At a time when we are increasing taxes for the many it appears inequitable to include an additional loophole for the few.

This bill provides a tax benefit for the wealthy who would be affected by an interstate tax and who would thus be setting up trust funds for their descendants. At a time when we are increasing taxes on the many it appears inequitable to include an additional loophole for the few. The "power of appointment" is the legal terminology in connection with an estate trust for a power or a right given to dispose of property, either by will or by inter vivos (during lifetime) transfer.

The question arises, for example, when a man dies and leaves his property to his wife in trust for her life, and at the same time provides in his will that she shall have the power to designate to whom the property shall go on her death. This property is, of course, taxable when it passes from the estate of the husband to that of his wife. When the wife (donee of the power of appointment) dies, however, the question is raised whether the property which the wife held in trust shall be subject to an estate tax when it passes to the next party whom she has designated.

Prior to 1942 this power of appointment was taxable if it was a general power, that is, the power to select or appoint the property to anyone. Furthermore, the donee of the power (wife) for the property to be taxable has to actually exercise the power of appointment and the property has to pass as a result of the exercise of this power. However, should the donee (wife) have a power to appoint to only a limited number of people, this property was not taxed whether or not the power was exercised.

Example A: Thus, in the above case, if the wife did not exercise the power of appointment, then the property would not be subject to an estate tax upon her death.

Example B: If the wife had the power to appoint the property only to a limited class (her family, for instance), it would not be subject to a tax upon her death, even if she carried out the appointment. This would mean that the wife could enjoy the benefit of practical ownership of property and then leave it to her family without having it subject to tax.

This law was changed in 1942. Legislation was enacted making a power of appointment taxable upon death of the donee whether it was special or general and whether it was exercised or not. This tax would apply unless, paragraph 1, the power of appointment is restricted to the decedent-donee's spouse, the spouse of the creator of the power (the original owner), descendants of the decedent or his spouse, spouses of such descendants, and charities; and, paragraph 2, power to appoint to a restricted class a person who has no other interest in the property (such as a lawyer or executor of the will). A problem arose in connection with this statute inasmuch as certain individuals were trapped since they were given powers of appointment prior to 1942 when these powers were not taxable. They were thus given time to rid themselves of the power without subjecting themselves either to a gift or an estate tax. This was done by means of a grace period in which the legislation was in effect. By successive statutory extensions, the grace period with respect to the effective date of this 1942 legislation has now lasted for 9 years. Thus to date no tax has yet been collected under the provisions enacted in 1942. In reality, therefore, the law dealing with the taxing of the power of appointment has remained the same as it was prior to 1942.

The present bill, H. R. 2084, deals with this problem by establishing two separate powers of appointment: those prior to 1942 and those after. For those powers of appointment created prior to 1942, the old law is restored. Thus, only the exercise of a general power of appointment will be subject to a tax. The possibilities for evasion thus remain.

For those powers created after 1942, the bill subjects to an estate tax a general power of appointment whether or not the power is exercised, and subjects to a gift tax the exercise or release of such power. A general power of appointment, however, is defined in such a manner that an able lawyer can draw up powers of appointment so as to make them tax exempt and not within the classification.

This can be done since the term "general" as applied to a pre-1942 power does not include held in conjunction with anyone else. A post-1942 power is not general unless it is exercisable in favor of the decedent, his estate, his creditors or the creditors of his estate. The donee (wife) has a right to invade the capital for health, education, support, or maintenance without having this invasion considered a general exercise of the power. Thus, the exercise would not be subject to the tax. It would not be difficult for an attorney to create a power which would evade taxation under these provisions.

SUMMARY

The bill, therefore, would exempt people who have practical ownership of property from being taxed even though they receive benefits from that property. It would also penalize those people who obeyed the 1942 law and released their powers of appointment in order not to be subject to the tax, and it allows those who did not release their powers to keep the power without paying tax.

Another typical example of how one could evade taxes is this: A man leaves \$1,000,000 in trust to his son for life. The son derives the income from that money and has the power to designate to whom the property shall go on his death. Thus, he has prac-

the provisions, but I understand now corrections have been made which will meet the objections previously voiced by both the Treasury and myself in respect to the passage of this measure.

Mr. DOUGHTON. Mr. Speaker, all of the Senate amendments are in accord with the general principles of the bill as it passed the House. The first Senate amendment is a technical change which includes a reference to section 811 (d)—relating to revocable transfers—in the estate-tax provisions of the bill. The second amendment merely makes it clear that the bill does not tax the complete release of a power of appointment created on or before October 21, 1942. The third amendment extends from July 1, 1951, to November 1, 1951, the period during which holders of preexisting powers may make partial releases of these powers without being subjected to estate or gift tax upon the subsequent exercise of the limited powers. This amendment is desirable in order to give the holders of these old powers an opportunity to study them in the light of this new legislation. The fourth Senate amendment permits the release without gift tax of a power created after October 21, 1942, if the release occurred before June 1 of this year. This amendment was necessary in order to prevent retroactive application of the gift tax in the case of such releases.

The fifth Senate amendment exempts from estate and gift tax the lapse of a power of appointment during life to the extent, in each year, of \$5,000 or 5 percent of the property out of which the powers could have been satisfied, whichever is the greater. The House bill completely exempted the lapse of a power, but the more limited exemption in the Senate bill will be sufficient to take care of the common type of annual, non-cumulative powers to invade which the provision in the House bill was designed to exempt.

The period for tax-free release of powers of appointment created on or before October 21, 1942, expires, under present law, at the close of this month. It is, therefore, very important that this bill—H. R. 2084—be enacted as promptly as possible in order to clarify the situation with respect to these old powers. For this reason, and because the bill as amended by the Senate contains essentially the same provisions as the bill which passed the House, I ask that we concur in the Senate amendments.

Mr. Speaker, I now yield to the gentleman from Georgia [Mr. CAMP], who will further explain the Senate amendments.

Mr. CAMP. Mr. Speaker, five amendments were placed on this bill in the Senate. Three of them are technical. One of the amendments placed a limitation on invasion trusts, namely, a limitation of \$5,000 or 5 percent on invasions, whichever is the larger. I think that meets the main objection the gentleman from Pennsylvania had to the bill.

May I say that this meets with the views of the Treasury, and they have given their approval to this amendment.

Mr. EBERHARTER. In other words, the invasion which the gentleman is

speaking of is the invasion of the corpus of the trust?

Mr. CAMP. The encroachment on the corpus of the trust estate. That has been limited in this Senate amendment to \$5,000 per year or 5 percent of the trust, whichever may be larger.

Mr. EBERHARTER. In other words, if 5 percent of the trust estate is more than the \$5,000, it would be limited to 5 percent in any 1 year?

Mr. CAMP. Yes.

The other amendment was increasing the time when powers of appointment may be withdrawn in gifts or deeds made prior to 1942, giving them instead of a limitation of July 1, 1951, a limitation of December 31; that is, giving them from now until then to make those corrections in deeds, gifts, or wills as we have been discussing here.

Mr. EBERHARTER. They have until December 31 of this year?

Mr. CAMP. That is right.

Mr. EBERHARTER. I am delighted that the other body has seen fit to make these amendments, and I certainly have no objection to the adoption of the amendments.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. EBERHARTER. I yield.

Mr. MILLS. The amendments which the other body adopted and which the gentleman from Georgia has explained are actually amendments which the gentleman from Pennsylvania would have desired in the bill in the Committee on Ways and Means.

Mr. EBERHARTER. I thank the gentleman, and withdraw my reservation of objection.

Mr. REED of New York. Mr. Speaker, I have no objection, but I would like to insert my explanation of those amendments, if I may, at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. REED of New York. Mr. Speaker, I join with the chairman in requesting that the House concur in the Senate amendments to the bill (H. R. 2084) relating to the treatment of powers of appointment for estate and gift tax purposes. It is of the utmost importance that this bill be enacted into law as promptly as possible because the period contained in the present law for the tax-free release of powers of appointment created on or before October 21, 1942, expires on the 30th of this month.

I believe the Senate amendments to this bill should be adopted. The first and second amendments by the Senate merely carry out the intent of the House bill by including a reference to section 811 (d) of the code and by specifically providing that the complete release of a preexisting power at any time is not taxable. In extending to November 1 of this year the period during which persons holding preexisting powers may release them partially without subsequent estate or gift tax liability, the Senate has taken cognizance of the fact that the holders of these powers created on or before October 21, 1942, need a short pe-

riod of time after enactment of this bill in which to make a proper disposition of these powers. A further amendment by the Senate prevents the retroactive imposition of the gift tax in the case of powers created after October 21, 1942, which were released before June 1 of this year.

The Senate amendments also limit the exemption of powers which lapse during the life of the holder to \$5,000 or 5 percent in each year. While this provision is not as liberal as the provision contained in the House bill, it will exempt the noncumulative invasion powers with which our committee was concerned. Consequently, I recommend that the House concur in the Senate amendments to this bill.

The SPEAKER. Without objection, the amendments will be printed in the RECORD at the proper place.

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

FUR PRODUCTS LABELING ACT

Mr. CROSSER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2321) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs, with an amendment of the Senate thereto, disagree to the Senate amendment, and request a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. BECKWORTH, PRIEST, HARRIS, WOLVERTON, and O'HARA.

(Mr. DOUGHTON asked and was given permission to extend his remarks on the Senate amendments to the bill H. R. 2084.)

AMENDING DISPLACED PERSONS ACT OF 1948

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3576) to amend the Displaced Persons Act of 1948, as amended, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, strike out all after line 4 over to and including line 15 on page 2 and insert: "Sec. 3 (a) I. During the three and one-half fiscal years beginning July 1, 1948, and ending December 31, 1951, eligible displaced persons and persons defined in subdivisions (2), (3), and (4) of subsection (b) of this section seeking to enter the United States as immigrants, and

"II. During the four fiscal years beginning July 1, 1948, and ending June 30, 1952, eligible displaced orphans seeking to enter the United States as immigrants may be issued immigration visas without regard to quota limitations for those years as provided by subsection (c) of this section: *Provided*,

That not more than 341,000 such visas shall be issued under this act, as amended, including such visas heretofore issued under the Displaced Persons Act of 1943: *Provided further*, That no such immigration visa shall be issued to eligible displaced persons unless the Commission initiated the selection or processing of such persons on or before July 31, 1951; and it shall be the duty of the Secretary of State to procure the cooperation of other nations, particularly the members of the International Refugee Organization, in the solution of the displaced-persons problem by their accepting for resettlement a relative number of displaced persons, and to expedite the closing of the camps and terminate the emergency."

Mr. WALTER (interrupting the reading of the Senate amendment). Mr. Speaker, I ask unanimous consent that further reading of the amendment be dispensed with.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, is this the amendment that the gentleman from Maine [Mr. FELLOWS] talked to me about and which he said was satisfactory to him?

Mr. WALTER. I suppose it is. All the amendment does is to change the terminal date for issuance of visas to displaced orphans so that the terminal date is the same as the date for other orphans under existing law.

Mr. Speaker, on the occasion of the final passage of this act, I wish to convey to the House certain information regarding the present status of the displaced-persons program.

I am informed that up to June 15, 1951, 243,702 displaced persons have been admitted to the United States. In addition, again as of June 15, 1951, visas were issued to 360 out of the 2,000 persons classified as the Venezia Giulia refugees; 893 visas were issued to displaced orphans defined in section 2 (e) of the existing law; and 220 visas were granted to war orphans adopted by American citizens under section 2 (f) of the act.

I do not want to discuss at this time the activities of the agencies charged with the administration of the act, but I cannot refrain from pointing out that the processing of immigrants classified as "persons of German ethnic origin" who are authorized to come to this country under section 12 of the act has been unfortunately very slow. While 10,190 immigrants of this category have entered the United States between July 1948 and July 1950, only 752 such immigrants reached our country between July 1950 and June 15, 1951. Compare these figures, please, with the total number of persons authorized to enter this country under section 12 of the act, which is 54,744, and bear in mind that this authorization expires on June 30, 1952.

I believe that I am expressing the unanimous sentiment of the Congress in urging all three agencies involved—the Department of State, the Department of Justice, and the Displaced Persons Commission—to make every possible effort in order to comply with congressional intent by expediting the processing of this category of immigrants, without, of course, relaxing any of the statutory requirements for admission.

Having now spent over 4½ years watching the social, political, and legal aspects of this problem, I am happy to be able to advise my colleagues that the passage of the 1948 act, its amendment of June 16, 1950, and the amendment now before us, will permit the United States fully to discharge its voluntarily assumed moral obligations toward the displaced populations of Europe. I am also happy to report that the International Refugee Organization has now finally decided to finish its work and to terminate its existence on December 31 of this year. The problem of the displaced persons in Europe, as we first met it back in 1945, right after VE-day, could be safely regarded as liquidated.

However, there is a much larger problem, namely, that of the 7,000,000 or 8,000,000 refugees of German ethnic origin who have been forcibly ejected from their homes by the Communist-dominated governments of Eastern Europe. In addition, there is the problem of surplus population plaguing economically and causing political and social disturbances in at least three more European countries in addition to Western Germany, namely, in Italy, Greece, and the Netherlands.

The existence of this problem is reflected in the most disturbing pressure on our immigration system. The steadily increasing number of people who try to enter the United States illegally or by posing as temporary visitors while they are actually immigrants; the rapidly mounting number of private bills introduced in the House and in the other body; and the constant lobbying of certain groups in behalf of legislation to increase our immigration quotas—those are only a few of the occurrences facing us every day.

The Congress was well aware of this situation when it enacted into the law section 16 of the Displaced Persons Act. Under this section, the Government of the United States was authorized to participate in a conference between affected nations for the purpose of studying and making recommendations which would provide for a satisfactory solution of these problems.

I am sorry to report that very little, if anything, has been done in order to implement the clearly stated Congressional intent. Similarly, very little, if anything, has been done to implement recommendations made in House Report No. 1841, Eighty-first Congress, submitted by a special subcommittee of the House Judiciary Committee, of which I was the chairman. This lack of activity has produced—among other things—a highly unsatisfactory situation regarding the future operation of a whole fleet of reconditioned passenger vessels operated now by the International Refugee Organization for the purpose of shipping immigrants to this country, to Canada, to Australia, to certain countries of Central and South America, and to Africa. This extremely useful fleet which could be used for the purposes envisaged in section 16 of the Displaced Persons Act, will have to be disbanded and the vessels put in moth balls on the expiration date

of the IRO, which is only slightly over 6 months away.

Faced with the increased pressure on our immigration system and aware of the heavy burden placed by surplus populations on the economies of countries which we are assisting at great expense, we should not permit that this excellent instrument of moving people to places where they are wanted, be destroyed.

It is perfectly clear that section 16 of the Displaced Persons Act gives the Government of the United States sufficient authority to call upon all interested nations, both those who are faced with surplus and homeless populations as well as those who are ready and willing to receive them, to get together as soon as possible and to devise ways and means of continuing the good job that the International Refugee Organization has done in moving in excess of 900,000 people within the last few years. Exactly 1 year has elapsed now since section 16 became law and I most sincerely hope that the Department of State and the Economic Cooperation Administration join forces with other free nations and work toward a solution of a problem in which at least 21 nations of the world are vitally interested.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

LABOR, FEDERAL SECURITY APPROPRIATIONS

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3709) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1952, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

Mr. SCHWABE. Reserving the right to object, I would like to ask the gentleman from Rhode Island if it is not a fact that the amendments consist chiefly of increases in the figures over the bill as it passed the House.

Mr. FOGARTY. It does show an increase over the House figures.

Mr. SCHWABE. Do you know approximately how much, in toto?

Mr. FOGARTY. In the neighborhood of over \$30,000,000, excluding consideration of the railroad retirement fund.

Mr. SCHWABE. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island? [After a pause.] The Chair hears none and appoints the following conferees: Mr. FOGARTY, Mr. HED-

nection therewith; to the Committee on the Judiciary.

(See the remarks of Mr. O'CONOR when he introduced the above bill, which appear under a separate heading.)

By Mr. O'CONOR (for himself and Mr. TAFT):

S. 1748. A bill to amend section 32 of the Trading With the Enemy Act, as amended, with reference to the designation of organizations as successors in interest to deceased persons; to the Committee on the Judiciary.

(See the remarks of Mr. O'CONOR when he introduced the above bill, which appear under a separate heading.)

ORGANIZED CRIME IN INTERSTATE COMMERCE

Mr. O'CONOR. Mr. President, on behalf of myself, the Senator from Tennessee [Mr. KEFAUVER], the Senator from Wyoming [Mr. HUNT], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Wisconsin [Mr. WILEY], members of the Committee to Investigate Organized Crime in Interstate Commerce, I introduce for appropriate reference a bill to permit the compelling of testimony under certain conditions and to grant immunity from prosecution in connection therewith, and I ask unanimous consent that a statement by me be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the statement will be printed in the RECORD.

The bill (S. 1747) to permit the compelling of testimony under certain conditions and to grant immunity from prosecution in connection therewith, introduced by Mr. O'CONOR (for himself and other Senators), was read twice by its title, and referred to the Committee on the Judiciary.

The statement presented by Mr. O'CONOR is as follows:

STATEMENT BY SENATOR O'CONOR

The bill carries out another important recommendation made in the third interim report of the committee, filed in the Senate on May 1, 1951.

This bill relates to the privilege against self-incrimination conferred on witnesses by the fifth amendment to the Constitution of the United States. For more than 50 years the courts have held that this privilege can be modified and the witness compelled to testify when his testimony is deemed important enough to warrant immunity from prosecution for any crime revealed in the course of such testimony. Committees of Congress and more than 20 administrative and quasi-judicial agencies now have statutes which make it possible for them to confer immunity and elicit testimony from witnesses notwithstanding this privilege against self-incrimination. Yet, curiously, the principal law-enforcement agency of our Government is unable to do the same thing in the course of ordinary grand jury investigations and criminal prosecutions. This situation came to the attention of the committee many times in the course of its investigation and has been noted by the Attorney General himself on numerous occasions.

The bill which I am introducing today is the result of full cooperation between the committee staff, Department of Justice officials, and other interested persons, and is designed to put Federal prosecuting officers on a parity with other investigative and enforcement officials in this respect. It will operate to confer full Federal immunity

upon any witness before a court or grand jury who, after pleading his privilege, is ordered to give testimony or produce records which might otherwise be incriminating to him.

Since the operation of this proposed law, applying as it does to all Federal cases, will be very widespread, and since its application in each case involves a balance of the public interest between immunizing a criminal to prosecution and eliciting his testimony, it was felt that the immunity should be conferred on a discretionary basis rather than automatically. The proposed law, therefore, provides for its use in any particular case only after the Attorney General has made a finding that such action is in the public interest.

AMENDMENT OF TRADING WITH THE ENEMY ACT, RELATING TO DESIGNATION OF ORGANIZATIONS AS SUCCESSORS TO DECEASED PERSONS

Mr. O'CONOR. Mr. President, on behalf of myself and the Senator from Ohio [Mr. TAFT], I introduce for appropriate reference a bill to amend section 32 of the Trading With the Enemy Act, as amended, with reference to the designation of organizations as successors in interest to deceased persons, and I ask unanimous consent that an explanatory statement by me be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the statement will be printed in the RECORD.

The bill (S. 1748) to amend section 32 of the Trading With the Enemy Act, as amended, with reference to the designation of organizations as successors in interest to deceased persons, introduced by Mr. O'CONOR (for himself and Mr. TAFT), was read twice by its title, and referred to the Committee on the Judiciary.

The statement presented by Mr. O'CONOR is as follows:

STATEMENT BY SENATOR O'CONOR

One of the problems arising as an aftermath of World War II, particularly in Europe, is the disposition to be made of that considerable amount of property as to which there are no claimants because the owners and their prospective heirs have died in concentration camps or elsewhere.

There were bills introduced both in the Eightieth and Eighty-first Congress regarding the disposition of such property, with particular respect to its utilization in the United States for relief and rehabilitation purposes. These bills passed the Senate on the Consent Calendar and in the Eighty-first Congress the bill which reached the floor of the House (S. 603) was approved with certain minor amendments, by the House Interstate and Foreign Commerce Committee. Objected to on the Consent Calendar it was never granted a rule by the House Rules Committee and, therefore, died with the Eighty-first Congress. In essence, the bill was predicated on the principle that the property of those who had been persecuted should not be used by this Government for war claims against the governments which persecuted the owners of such property. In accordance with this principle, it has been possible for nearly 4 years for an individual thus persecuted to be able to obtain his property by entering the proper claim.

There is a large amount of property, however, for which there are no claimants and it is this so-called heirless property which, under the bill I am submitting, would be turned over to successor organizations, to

be designated by the President and its proceeds to be used for relief and rehabilitation.

For different types of property different successor organizations could be designated, as for instance a Catholic successor organization for Catholic persecutees, the JRSO, for Jewish persecutees, etc. The procedures outlined in the bill are quite simple and provide merely for a presumption of heirlessness where no claim has been filed for a period of 2 years after vesting of the property.

A top limit of \$3,000,000 was inserted in the legislation in the House Interstate and Foreign Commerce Committee in order to meet the objections that there was no predictable limit to the amount which might be returned under this legislation. According to the best estimates obtainable at this time it is expected that the actual amount which could be claimed would be somewhere in the neighborhood of \$2,000,000.

EXECUTIVE AND INDEPENDENT OFFICES APPROPRIATIONS, 1952—REENGROSSMENT OF SENATE AMENDMENTS

Mr. MAYBANK. Mr. President, I submit a concurrent resolution providing for the reengrossment of the Senate amendments to the bill (H. R. 3880) making appropriations for the Executive and Independent Offices for the fiscal year 1952, and I ask unanimous consent for its present consideration.

There being no objection, the concurrent resolution (S. Con. Res. 35) was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed to reengross the amendments of the Senate to the bill (H. R. 3880) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1952, and for other purposes; and to reengross Senate amendment No. 79 so as to read as follows:

"(79) On page 35, line 23, strike out '\$875,-163,335' and insert '\$873,105,770'."

EXTENSION OF DEFENSE PRODUCTION AND HOUSING AND RENT ACTS—AMENDMENTS

Mr. MCCARRAN submitted an amendment intended to be proposed by him to the bill (S. 1717) to amend and extend the Defense Production Act of 1950 and the Housing and Rent Act of 1947, as amended, which was ordered to lie on the table and to be printed.

Mr. LEHMAN submitted amendments intended to be proposed by him to Senate bill 1717, supra, which were ordered to lie on the table and to be printed.

Mr. CAPEHART submitted an amendment intended to be proposed by him to Senate bill 1717, supra, which was ordered to lie on the table and to be printed.

Mr. FERGUSON submitted amendments intended to be proposed by him to Senate bill 1717, supra, which were severally ordered to lie on the table and to be printed.

Mr. IVES (for himself and Mr. CAPEHART) submitted amendments intended to be proposed by them, jointly, to Senate bill 1717, supra, which were ordered to lie on the table and to be printed.

Mr. DIRKSEN submitted amendments intended to be proposed by him to Senate bill 1717, supra, which were severally

ordered to lie on the table and to be printed.

Mr. O'MAHONEY (for himself, Mr. SPARKMAN, and Mr. FULBRIGHT) submitted an amendment intended to be proposed by them, jointly, to Senate bill 1717, supra, which was ordered to lie on the table and to be printed.

AMENDMENT OF TARIFF ACT OF 1930— AMENDMENT

Mr. CASE submitted an amendment intended to be proposed by him to the bill (H. R. 2192) to amend section 313 (b) of the Tariff Act of 1930, which was ordered to lie on the table and to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. UNDERWOOD:

Address entitled "The Farm Program Succeeds—Tobacco Sets an Example," delivered by him, at the meeting of the Burley Auction Warehouse Association, in Louisville, Ky., June 18, 1951.

By Mr. WILEY:

Address entitled "Restoring Bipartisan Foreign Policy," broadcast by him from Radio Station WGN, Chicago, Ill., June 23, 1951.

By Mr. LEHMAN:

Remarks by the Ambassador from India, Madame Vijaya Lakshmi Pandit at Girard Point Landing, Philadelphia, Pa., June 19, 1951, on the departure of the first shipment of food grains to India.

By Mr. MUNDT:

Editorial entitled "If Truman Had His Way," published in the Jackson (Miss.) Daily News, and reprinted in the Southern Weekly.

By Mr. MAGNUSON:

Statement of travel of State Department personnel during the year 1950 to the Mediterranean and north African and the European and Baltic Sea areas, with letter of transmittal dated June 22, 1951, from W. K. Scott, Deputy Assistant Secretary, Department of State, to Honorable EDWIN C. JOHNSON, chairman, Committee on Interstate and Foreign Commerce, United States Senate.

By Mr. MAGNUSON (for Mr. MURRAY):

Letters in opposition to the proposed deepening of the upper Missouri River Basin channel to 9 feet.

By Mr. BENTON:

Two articles written by Jack Gould and published in the New York Times of June 24 and June 25, discussing the effect of television on the living habits of the American people, which will appear hereafter in the Appendix.

ANTIRELIGIOUS NATURE OF COMMUNIST IDEOLOGIES

Mr. O'CONOR. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement prepared by me relative to further religious persecutions by Soviet-dominated countries.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR O'CONOR

The venom of communism's leaders against any moral force which might question their despotic and unjust actions, revealed so shockingly to the world in the case of Josef Cardinal Mindszenty, is being disclosed again from two centers of Communist activity.

And once again the whole Christian world has been alerted to the basic antireligious nature of the Communist ideologies.

In one Russian satellite country, Hungary, where the grossest abuse of justice was employed to jail and discredit Cardinal Mindszenty before the world, a Hungarian court again has gone through the mockery of a trial. This time it was directed against the person of Archbishop Joseph Groesz, the highest ranking member of the Hungarian Catholic Hierarchy, and the successor in office to Cardinal Mindszenty, imprisoned Primate of Hungary.

The pattern of these alleged trials is too well known to the world, from the publicity attendant upon the so-called conviction of His Eminence Josef Cardinal Mindszenty, and more recently in the much publicized Vogeler case, to require any comment. That the Communist leadership has felt it necessary to go through such a mockery again is proof conclusive, if such a proof were needed, that despite all the efforts of their godless leaders to drive out from the hearts of their enslaved subjects the love of God and regard for morality, their efforts have failed.

Along the same pattern are the restrictions which have been placed upon Bishop James E. Walsh and other personnel of the Catholic Central Bureau in Shanghai, following their usual denouncement as tools of imperialism. Having known Bishop Walsh and his family intimately for many years, and in the conviction borne of such intimate knowledge that there is no more moral or priestly gentleman to be found anywhere in the world, the inescapable conviction is that it is his religion, and the moral force represented by Christians everywhere, which is being attacked by the Chinese Communists in the persons of Bishop Walsh and his associates.

In the name of Christianity and of the members of the Christian faiths everywhere, our Government should protest vigorously against such indefensible attacks upon Archbishop Groesz and Bishop Walsh. They must seek to impress upon the responsible officials, as they did in the Mindszenty case, that the whole world looks with horror upon such evidence of hatred towards that Christian morality which is the lone force which despots cannot overcome.

ORGANIZATION OF AIR FORCE AND DE- PARTMENT OF AIR FORCE

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 1726) to provide for the organization of the Air Force and the Department of the Air Force, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. LONG. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. HUNT, Mr. BYRD, Mr. STENNIS, Mr. SALTONSTALL, and Mr. KNOWLAND conferees on the part of the Senate.

REVISIONS IN TITLES I THROUGH IV, OFFICER PERSONNEL ACT OF 1947

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 4200) to make certain revisions in titles I through IV of the Officer Personnel Act of 1947, as

amended, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. LONG. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. STENNIS, Mr. BYRD, and Mr. FLANDERS conferees on the part of the Senate.

PROTECTION AGAINST MISBRANDING, ETC., OF FUR PRODUCTS AND FURS

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 2321) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON of Colorado. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. JOHNSON of Colorado, Mr. MCFARLAND, Mr. MAGNUSON, Mr. BREWSTER, and Mr. CAPEHART conferees on the part of the Senate.

EXTENSION OF DEFENSE PRODUCTION, AND HOUSING AND RENT ACTS

The VICE PRESIDENT. Under the order of the Senate of June 21, the unfinished business, Senate bill 719, is temporarily laid aside for the consideration of Senate bill 1717.

The Senate proceeded to consider the bill (S. 1717) to amend and extend the Defense Production Act of 1950 and the Housing and Rent Act of 1947, as amended.

Mr. McCARRAN obtained the floor.

CALL OF THE ROLL

Mr. McCARRAN. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Anderson	Green	Monroney
Bennett	Hayden	Moody
Benton	Hendrickson	Mundt
Brewster	Hennings	Neely
Bricker	Hickenlooper	Nixon
Bridges	Hill	O'Connor
Butler, Md.	Hoey	O'Mahoney
Butler, Nebr.	Holland	Pastore
Cain	Humphrey	Robertson
Capehart	Ives	Russell
Carlson	Jenner	Saltonstall
Case	Johnson, Colo.	Schoeppel
Chavez	Kem	Smith, Maine
Clements	Kerr	Smith, N. J.
Connally	Kilgore	Sparkman
Cordon	Knowland	Stennis
Dirksen	Langer	Taft
Douglas	Lehman	Thye
Duff	Long	Tobey
Dworshak	Magnuson	Underwood
Eastland	Maybank	Watkins
Ellender	McCarran	Welker
Ferguson	McCarthy	Wherry
Flanders	McClellan	Wiley
Frear	McFarland	Williams
Fulbright	McKellar	Young
George	McMahon	
Gillette	Millikin	

FUR LABELING

JULY 27, 1951.—Ordered to be printed

Mr. O'HARA, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H. R. 2321]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2321) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: *That this Act may be cited as the "Fur Products Labeling Act".*

SEC. 2. *As used in this Act—*

(a) *The term "person" means an individual, partnership, corporation, association, business trust, or any organized group of any of the foregoing.*

(b) *The term "fur" means any animal skin or part thereof with hair, fleece, or fur fibers attached thereto, either in its raw or processed state, but shall not include such skins as are to be converted into leather or which in processing shall have the hair, fleece, or fur fiber completely removed.*

(c) *The term "used fur" means fur in any form which has been worn or used by an ultimate consumer.*

(d) *The term "fur product" means any article of wearing apparel made in whole or in part of fur or used fur; except that such term shall not include such articles as the Commission shall exempt by reason of the relatively small quantity or value of the fur or used fur contained therein.*

(e) *The term "waste fur" means the ears, throats, or scrap pieces which have been severed from the animal pelt, and shall include mats or plates made therefrom.*

(f) The term "invoice" means a written account, memorandum, list, or catalog, which is issued in connection with any commercial dealing in fur products or furs, and describes the particulars of any fur products or furs, transported or delivered to a purchaser, consignee, factor, bailee, correspondent, or agent, or any other person who is engaged in dealing commercially in fur products or furs.

(g) The term "Commission" means the Federal Trade Commission.

(h) The term "Federal Trade Commission Act" means the Act entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes", approved September 26, 1914, as amended.

(i) The term "Fur Products Name Guide" means the register issued by the Commission pursuant to section 7 of this Act.

(j) The term "commerce" means commerce between any State, Territory, or possession of the United States, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession or the District of Columbia.

(k) The term "United States" means the several States, the District of Columbia, and the Territories and possessions of the United States.

MISBRANDING, FALSE ADVERTISING, AND INVOICING DECLARED
UNLAWFUL

SEC. 3. (a) The introduction, or manufacture for introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product which is misbranded or falsely or deceptively advertised or invoiced, within the meaning of this Act or the rules and regulations prescribed under section 8 (b), is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act.

(b) The manufacture for sale, sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, and which is misbranded or falsely or deceptively advertised or invoiced, within the meaning of this Act or the rules and regulations prescribed under section 8 (b), is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act.

(c) The introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur which is falsely or deceptively advertised or falsely or deceptively invoiced, within the meaning of this Act or the rules and regulations prescribed under section 8 (b), is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act.

(d) Except as provided in subsection (e) of this section, it shall be unlawful to remove or mutilate, or cause or participate in the removal or mutilation of, prior to the time any fur product is sold and delivered to the ultimate consumer, any label required by this Act to be affixed to such fur product, and any person violating this subsection is guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce under the Federal Trade Commission Act.

(e) Any person introducing, selling, advertising, or offering for sale, in commerce, or processing for commerce, a fur product, or any person selling, advertising, offering for sale or processing a fur product which has been shipped and received in commerce, may substitute for the label affixed to such product pursuant to section 4 of this Act, a label conforming to the requirements of such section, and such label may show in lieu of the name or other identification shown pursuant to section 4 (2) (E) on the label so removed, the name or other identification of the person making the substitution. Any person substituting a label shall keep such records as will show the information set forth on the label that he removed and the name or names of the person or persons from whom such fur product was received, and shall preserve such records for at least three years. Neglect or refusal to maintain and preserve such records is unlawful, and any person who shall fail to maintain and preserve such records shall forfeit to the United States the sum of \$100 for each day of such failure which shall accrue to the United States and be recoverable by a civil action. Any person substituting a label who shall fail to keep and preserve such records, or who shall by such substitution misbrand a fur product, shall be guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce under the Federal Trade Commission Act.

(f) Subsections (a), (b), and (c) of this section shall not apply to any common carrier, contract carrier or freight forwarder in respect of a fur product or fur shipped, transported, or delivered for shipment in commerce in the ordinary course of business.

MISBRANDED FUR PRODUCTS

SEC. 4. For the purposes of this Act, a fur product shall be considered to be misbranded—

(1) if it is falsely or deceptively labeled or otherwise falsely or deceptively identified, or if the label contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product;

(2) if there is not affixed to the fur product a label showing in words and figures plainly legible—

(A) the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this Act;

(B) that the fur product contains or is composed of used fur, when such is the fact;

(C) that the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

(D) that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(E) the name, or other identification issued and registered by the Commission, of one or more of the persons who manufacture such fur product for introduction into commerce, introduce it into commerce, sell it in commerce, advertise or offer it for sale in commerce, or transport or distribute it in commerce;

(F) the name of the country of origin of any imported furs used in the fur product;

(3) if the label required by paragraph (2) (A) of this section sets forth the name or names of any animal or animals other than the name or names provided for in such paragraph.

FALSE ADVERTISING AND INVOICING OF FUR PRODUCTS AND FURS

SEC. 5. (a) *For the purposes of this Act, a fur product or fur shall be considered to be falsely or deceptively advertised if any advertisement, representation, public announcement, or notice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of such fur product or fur—*

(1) *does not show the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this Act;*

(2) *does not show that the fur is used fur or that the fur product contains used fur, when such is the fact;*

(3) *does not show that the fur product or fur is bleached, dyed, or otherwise artificially colored fur when such is the fact;*

(4) *does not show that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;*

(5) *contains the name or names of any animal or animals other than the name or names specified in paragraph (1) of this subsection, or contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product or fur;*

(6) *does not show the name of the country of origin of any imported furs or those contained in a fur product.*

(b) *For the purposes of this Act, a fur product or fur shall be considered to be falsely or deceptively invoiced—*

(1) *if such fur product or fur is not invoiced to show—*

(A) *the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this Act;*

(B) *that the fur product contains or is composed of used fur, when such is the fact;*

(C) *that the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;*

(D) *that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;*

(E) *the name and address of the person issuing such invoice;*

(F) *the name of the country of origin of any imported furs or those contained in a fur product;*

(2) *if such invoice contains the name or names of any animal or animals other than the name or names specified in paragraph (1)*

(A) *of this subsection, or contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product or fur.*

EXCLUSION OF MISBRANDED OR FALSELY INVOICED FUR PRODUCTS OR FURS

SEC. 6. (a) *Fur products imported into the United States shall be labeled so as not to be misbranded within the meaning of section 4 of this Act; and all invoices of fur products and furs required under title IV of the Tariff Act of 1930, as amended, shall set forth, in addition to the*

matters therein specified, information conforming with the requirements of section 5 (b) of this Act, which information shall be included in the invoices prior to their certification under the Tariff Act of 1930, as amended.

(b) The falsification of, or failure to set forth, said information in said invoices, or the falsification or perjury of the consignee's declaration provided for in the Tariff Act of 1930, as amended, insofar as it relates to said information, shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act; and any person who falsifies, or fails to set forth, said information in said invoices, or who falsifies or perjures said consignee's declaration insofar as it relates to said information, may thenceforth be prohibited by the Commission from importing, or participating in the importation of, any fur products or furs into the United States except upon filing bond with the Secretary of the Treasury in a sum double the value of said fur products and furs, and any duty thereon, conditioned upon compliance with the provisions of this section.

(c) A verified statement from the manufacturer, producer of, or dealer in, imported fur products and furs showing information required under the provisions of this Act may be required under regulations prescribed by the Secretary of the Treasury.

NAME GUIDE FOR FUR PRODUCTS

SEC. 7. (a) The Commission shall, with the assistance and cooperation of the Department of Agriculture and the Department of the Interior, within six months after the date of the enactment of this Act, issue, after holding public hearings, a register setting forth the names of hair, flecce, and fur-bearing animals, which shall be known as the Fur Products Name Guide. The names used shall be the true English names for the animals in question, or in the absence of a true English name for an animal, the name by which such animal can be properly identified in the United States.

(b) The Commission may, from time to time, with the assistance and cooperation of the Department of Agriculture and Department of the Interior, after holding public hearings, add to or delete from such register the name of any hair, flecce, or fur-bearing animal.

(c) If the name of an animal (as set forth in the Fur Products Name Guide) connotes a geographical origin or significance other than the true country or place of origin of such animal, the Commission may require whenever such name is used in setting forth the information required by this Act, such qualifying statement as it may deem necessary to prevent confusion or deception.

ENFORCEMENT OF THE ACT

SEC. 8. (a) (1) Except as otherwise specifically provided in this Act, sections 3, 6, and 10 (b) of this Act shall be enforced by the Federal Trade Commission under rules, regulations, and procedure provided for in the Federal Trade Commission Act.

(2) The Commission is authorized and directed to prevent any person from violating the provisions of sections 3, 6, and 10 (b) of this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the

Federal Trade Commission Act were incorporated into and made a part of this Act; and any such person violating any provision of section 3, 6, or 10 (b) of this Act shall be subject to the penalties and entitled to the privileges and immunities provided in said Federal Trade Commission Act as though the applicable terms and provisions of the said Federal Trade Commission Act were incorporated into and made a part of this Act.

(b) *The Commission is authorized and directed to prescribe rules and regulations governing the manner and form of disclosing information required by this Act, and such further rules and regulations as may be necessary and proper for purposes of administration and enforcement of this Act.*

(c) *The Commission is authorized (1) to cause inspections, analyses, tests, and examinations to be made of any fur product or fur subject to this Act; and (2) to cooperate, on matters related to the purposes of this Act, with any department or agency of the Government; with any State, Territory, or possession, or with the District of Columbia; or with any department, agency, or political subdivision thereof; or with any person.*

(d) (1) *Every manufacturer or dealer in fur products or furs shall maintain proper records showing the information required by this Act with respect to all fur products or furs handled by him, and shall preserve such records for at least three years.*

(2) *The neglect or refusal to maintain and preserve such records is unlawful, and any such manufacturer or dealer who neglects or refuses to maintain and preserve such records shall forfeit to the United States the sum of \$100 for each day of such failure which shall accrue to the United States and be recoverable by a civil action.*

CONDEMNATION AND INJUNCTION PROCEEDINGS

SEC. 9. (a) (1) *Any fur product or fur shall be liable to be proceeded against in the district court of the United States for the district in which found, and to be seized for confiscation by process of libel for condemnation, if the Commission has reasonable cause to believe such fur product or fur is being manufactured or held for shipment, or shipped, or held for sale or exchange after shipment, in commerce, in violation of the provisions of this Act, and if after notice from the Commission the provisions of this Act with respect to such fur product or fur are not shown to be complied with. Proceedings in such libel cases shall conform as nearly as may be to suits in rem in admiralty, and may be brought by the Commission.*

(2) *If such fur products or furs are condemned by the court, they shall be disposed of, in the discretion of the court, by destruction, by sale, by delivery to the owner or claimant thereof upon payment of legal costs and charges and upon execution of good and sufficient bond to the effect that such fur or fur products will not be disposed of until properly marked, advertised, and invoiced as required under the provisions of this Act; or by such charitable disposition as the court may deem proper. If such furs or fur products are disposed of by sale, the proceeds, less legal costs and charges, shall be paid into the Treasury of the United States as miscellaneous receipts.*

(b) *Whenever the Commission has reason to believe that—*

(1) *any person is violating, or is about to violate, section 3, 6, or 10 (b) of this Act; and*

(2) it would be to the public interest to enjoin such violation until complaint is issued by the Commission under the Federal Trade Commission Act and such complaint dismissed by the Commission or set aside by the court on review, or until order to cease and desist made thereon by the Commission has become final within the meaning of the Federal Trade Commission Act, the Commission may bring suit in the district court of the United States or in the United States court of any Territory, for the district or Territory in which such person resides or transacts business, to enjoin such violation, and upon proper showing a temporary injunction or restraining order shall be granted without bond.

GUARANTY

SEC. 10. (a) No person shall be guilty under section 3 if he establishes a guaranty received in good faith signed by and containing the name and address of the person residing in the United States by whom the fur product or fur guaranteed was manufactured or from whom it was received, that said fur product is not misbranded or that said fur product or fur is not falsely advertised or invoiced under the provisions of this Act. Such guaranty shall be either (1) a separate guaranty specifically designating the fur product or fur guaranteed, in which case it may be on the invoice or other paper relating to such fur product or fur; or (2) a continuing guaranty filed with the Commission applicable to any fur product or fur handled by a guarantor, in such form as the Commission by rules and regulations may prescribe.

(b) It shall be unlawful for any person to furnish, with respect to any fur product or fur, a false guaranty (except a person relying upon a guaranty to the same effect received in good faith signed by and containing the name and address of the person residing in the United States by whom the fur product or fur guaranteed was manufactured or from whom it was received) with reason to believe the fur product or fur falsely guaranteed may be introduced, sold, transported, or distributed in commerce, and any person who violates the provisions of this subsection is guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce within the meaning of the Federal Trade Commission Act.

CRIMINAL PENALTY

SEC. 11. (a) Any person who willfully violates section 3, 6, or 10 (b) of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not more than \$5,000, or be imprisoned not more than one year, or both, in the discretion of the court.

(b) Whenever the Commission has reason to believe any person is guilty of a misdemeanor under this section, it shall certify all pertinent facts to the Attorney General, whose duty it shall be to cause appropriate proceedings to be brought for the enforcement of the provisions of this section against such person.

APPLICATION OF EXISTING LAWS

SEC. 12. The provisions of this Act shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other Act of Congress.

SEPARABILITY OF PROVISIONS

SEC. 13. *If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to any other person or circumstance shall not be affected thereby.*

EFFECTIVE DATE

SEC. 14. *This Act, except section 7, shall take effect one year after the date of its enactment.*

And the Senate agree to the same.

LINDLEY BECKWORTH,
J. PERCY PRIEST,
OREN HARRIS,
CHAS. A. WOLVERTON,
JOS. P. O'HARA,
Managers on the Part of the House.
ED. C. JOHNSON,
ERNEST W. MCFARLAND
J.,
WARREN G. MAGNUSON
J.,
OWEN BREWSTER,
HOMER E. CAPEHART,
Managers on the Part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2321) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted an amendment in the nature of a substitute. The House recedes from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment.

While the Senate amendment was a complete substitute for the House bill the actual differences were few.

The following statement explains those provisions of the substitute agreed to in conference which differ from the bill as it passed the House:

AUTHORITY TO SUBSTITUTE LABEL

Section 4 of the bill as it passed the House provided that a fur product should be considered to be misbranded unless there was affixed thereto a label giving certain specified information. Among the information required to be given was the name, or other identification issued and registered by the Federal Trade Commission, of one or more of the persons who manufacture the fur product for introduction into interstate commerce, introduce it into interstate commerce, sell it in interstate commerce, advertise or offer it for sale in interstate commerce, or transport or distribute it in interstate commerce.

Section 3 of the House bill prohibited the removal or mutilation of any such label, except that it was provided that any person introducing, selling, advertising, or offering for sale, in interstate commerce, or processing for interstate commerce, a fur product could substitute for the label affixed to the product a label conforming to the requirements of section 4, showing, in lieu of the name or other identification shown pursuant to section 4, the name or other identification of the person making the substitution. It was provided that any person making such a substitution should keep records showing the information on the label removed and the name of the person from whom the fur product was received.

The provisions of the Senate amendment were the same as those of the House bill, except that the privilege of label substitution was also given to an additional class of persons, that is, any person selling, advertising, or processing a fur product after the interstate movement had been completed.

The conference substitute, in section 3 (e), includes this feature from the Senate amendment, but in the interest of effective enforcement it is provided (1) that records as to substitution of labels shall

be preserved for 3 years; (2) that any person failing to keep the required records shall forfeit to the United States \$100 for each day of such failure, such penalty to be recoverable in a civil action; and (3) that failure to keep such records, or substitution of a label in such manner as to misbrand the fur product, shall constitute an unfair method of competition, and an unfair or deceptive act or practice, under the Federal Trade Commission Act.

COUNTRY OF ORIGIN

Both the House bill and the Senate amendment provided that fur products shall be considered to be misbranded, and that furs or fur products shall be considered to be falsely or deceptively advertised or invoiced, unless certain specified information is shown in the labeling, advertising, or invoice. However, the Senate amendment contained requirements, not contained in the House bill, that the label, advertisement, or invoice show the name of the country of origin of any imported furs used in a fur product and that the advertisement or invoice show the name of the country of origin in the case of any imported fur. These requirements which were contained in the Senate amendment are included in sections 4 and 5 of the conference substitute.

LINDLEY BECKWORTH,
J. PERCY PRIEST,
OREN HARRIS,
CHAS. W. WOLVERTON,
JOS. P. O'HARA,

Managers on the Part of the House.



amendment No. 3, and that the Senate agree to the amendment made by the House of Representatives to the title of the joint resolution, with an amendment, as follows: In lieu of the amended title as proposed by the House amendment, amend the title so as to read:

Joint resolution providing that the amendments to the rules of civil procedure for the United States district courts reported to the Congress by the Supreme Court on May 1, 1951, shall not become effective.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

SIDNEY YOUNG HUGHES

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 1103) for the relief of Sidney Young Hughes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCARRAN. Mr. President, this is a private immigration bill, for the relief of Sidney Young Hughes. As it passed the House, this bill granted the status of permanent residence to Mr. Hughes, an alien, who had been convicted of a crime involving moral turpitude.

The Senate Judiciary Committee amended the bill by striking out all after the enacting clause, and substituting in lieu thereof language which would remove the impediment to the alien's admission for permanent residence because of his conviction. The effect of the Senate language would be to require the alien to go to Canada to procure an immigration visa, and to pass all of the other tests which an alien must undergo; so that if this alien should prove excludable on any grounds other than the previous conviction, he might still be excluded.

The Senate passed the bill in accordance with the Judiciary Committee's recommendation.

The House has now disagreed to the Senate amendment, and has requested a conference with the Senate thereon.

I now move that the Senate insist on its amendment, agree to the conference requested by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. McCARRAN, Mr. EASTLAND, and Mr. JENNER conferees on the part of the Senate.

STEFAN LENARTOWICZ AND HIS WIFE,
IRENE

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 360) for the relief of Stefan Lenartowicz and his wife, Irene, which was, to strike out all after "proper" in line 10 down to and including "available" in line 12, and insert "quota officer to deduct two numbers from the number of displaced persons

who shall be granted the status of permanent residence pursuant to section 4 of the Displaced Persons Act, as amended (62 Stat. 1011; 64 Stat. 219; 50 U. S. C. App. 1953)."

Mr. McCARRAN. This is a private immigration bill which the House has amended. The bill as originally approved by the Senate provided for making a deduction from the appropriate quota. The House has amended this to provide for a deduction from the number of displaced persons who shall be granted the status of permanent residence. By way of explanation, let me say to my colleagues that in the amendment to the displaced persons act which we passed at the last session, it was provided that certain displaced persons already in the United States might be granted the status of permanent residents at the discretion of the Attorney General and with the approval of the Congress. The procedure which the House has implemented by its amendment to this bill would charge the beneficiaries to this group of displaced persons, rather than charging the regular immigration quotas.

The House has done this not only in the case of this bill, but also in connection with two other bills which I shall call up shortly.

It appears that the aliens involved in all of these bills are in fact displaced persons, but are ineligible for adjustment of their status under the Displaced Persons Act because of the strict provisions of that law. It seems desirable that the policy brought forward by the House be made uniform in both Houses, with respect to such cases.

Accordingly, I move that the Senate concur in the House amendment to this bill.

The motion was agreed to.

SISTER BERTHA PFEIFFER AND SISTER
ELZBIETA ZABINSKA

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 470) for the relief of Sister Bertha Pfeiffer and Sister Elzbieta Zabinska, which was, on page 2, line 1, strike out all after "numbers" down to and including "available" in line 2, and insert "from the number of displaced persons who shall be granted the status of permanent residence pursuant to section 4 of the Displaced Persons Act, as amended (62 Stat. 1011; 64 Stat. 219; 50 U. S. C. App. 1953)."

Mr. McCARRAN. This is a bill which the House has amended in the same manner as I explained in connection with the previous bill; and I now move that the Senate concur in the House amendment.

The motion was agreed to.

JAN JOSEF WIECKOWSKI AND HIS WIFE
AND DAUGHTER

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1229) for the relief of Jan Josef Wieckowski and his wife and daughter, which was, to strike out all after "deduct" in line 11

down to and including "available" in line 12, and insert "three numbers from the number of displaced persons who shall be granted the status of permanent residence pursuant to section 4 of the Displaced Persons Act, as amended (62 Stat. 1011; 64 Stat. 219; 50 U. S. C. App. 1953)."

Mr. McCARRAN. Mr. President, this is another bill in which the amendment already explained has been made by the House. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

HELMUTH RUSSOW AND VOLKER HARPE

Mr. McCARRAN. Mr. President, on July 23, 1951, when the calendar was called, Senate bill 168, for the relief of Helmuth Russow and Volker Harpe, a private immigration bill, passed the Senate unanimously.

Examination of the bill as passed discloses that the title should be amended.

Mr. President, I ask unanimous consent that the title of the bill be amended so as to conform with the text of the bill, and to read "For the relief of Helmuth Assmas Balthasar Russow and Volker Harpe."

The VICE PRESIDENT. Without objection, it is so ordered.

MRS. ROSE A. MONGRAIN—RECOMMITTAL
OF BILL

Mr. McCARRAN. Mr. President, on March 19, 1951, the bill H. R. 857, an act for the relief of Mrs. Rose A. Mongrain, was reported from the Committee on the Judiciary and is now pending on the Senate Calendar, Order No. 179.

At its meeting on Tuesday of this week, the Committee on the Judiciary ordered that request be made that this bill be recommitted to the committee for further consideration.

Accordingly, Mr. President, I now ask unanimous consent that the bill H. R. 857, for the relief of Mrs. Rose A. Mongrain, be recommitted to the Committee on the Judiciary.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

SETTLEMENT OF MARITIME CLAIMS—RE-
REFERENCE OF BILL

Mr. McCARRAN. Mr. President, there is pending before the Committee on the Judiciary the bill (S. 313) to authorize the Secretaries of the Army and Air Force to settle, pay, adjust, and compromise certain maritime claims for damages.

On April 17, 1951, the House of Representatives passed a companion bill, H. R. 1764, and on April 18, 1951, it was referred to the Senate Committee on Armed Services.

Pursuant to an order of the Senate Judiciary Committee, entered on June 25, 1951, I move that the Committee on the Judiciary be discharged from further consideration of S. 313 and that it be referred to the Senate Committee on Armed Services.

The VICE PRESIDENT. Without objection, the motion is agreed to, and the bill will be rereferred.

PROTECTION AGAINST MISBRANDING,
ETC., OF FUR PRODUCTS AND FURS—
CONFERENCE REPORT

Mr. JOHNSON of Colorado. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2321) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs. I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2321) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That this Act may be cited as the 'Fur Products Labeling Act.'

"SEC. 2. As used in this Act—

"(a) The term 'person' means an individual, partnership, corporation, association, business trust, or any organized group of any of the foregoing.

"(b) The term 'fur' means any animal skin or part thereof with hair, fleece, or fur fibers attached thereto, either in its raw or processed state, but shall not include such skins as are to be converted into leather or which in processing shall have the hair, fleece, or fur fiber completely removed.

"(c) The term 'used fur' means fur in any form which has been worn or used by an ultimate consumer.

"(d) The term 'fur product' means any article of wearing apparel made in whole or in part of fur or used fur; except that such term shall not include such articles as the Commission shall exempt by reason of the relatively small quantity or value of the fur or used fur contained therein.

"(e) The term 'waste fur' means the ears, throats, or scrap pieces which have been severed from the animal pelt; and shall include mats or plates made therefrom.

"(f) The term 'invoice' means a written account, memorandum, list, or catalog, which is issued in connection with any commercial dealing in fur products or furs, and describes the particulars of any fur products or furs, transported or delivered to a purchaser, consignee, factor, bailee, correspondent, or agent, or any other person who is engaged in dealing commercially in fur products or furs.

"(g) The term 'Commission' means the Federal Trade Commission.

"(h) The term 'Federal Trade Commission Act' means the Act entitled 'An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes,' approved September 26, 1914, as amended.

"(i) The term 'Fur Products Name Guide' means the register issued by the Commission pursuant to section 7 of this Act.

"(j) The term 'commerce' means commerce between any State, Territory, or possession of the United States, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of

Columbia, but through any place outside thereof; or within any Territory or possession or the District of Columbia.

"(k) The term 'United States' means the several States, the District of Columbia, and the Territories and possessions of the United States.

"MISBRANDING, FALSE ADVERTISING, AND INVOICING DECLARED UNLAWFUL

"SEC. 3. (a) The introduction, or manufacture for introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product which is misbranded or falsely or deceptively advertised or invoiced, within the meaning of this Act or the rules and regulations prescribed under section 8 (b), is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act.

"(b) The manufacture for sale, sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, and which is misbranded or falsely or deceptively advertised or invoiced, within the meaning of this Act or the rules and regulations prescribed under section 8 (b), is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act.

"(c) The introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur which is falsely or deceptively advertised or falsely or deceptively invoiced, within the meaning of this Act or the rules and regulations prescribed under section 8 (b), is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act.

"(d) Except as provided in subsection (e) of this section, it shall be unlawful to remove or mutilate, or cause or participate in the removal or mutilation of, prior to the time any fur product is sold and delivered to the ultimate consumer, any label required by this act to be affixed to such fur product, and any person violating this subsection is guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce under the Federal Trade Commission Act.

"(e) Any person introducing, selling, advertising, or offering for sale, in commerce, or processing for commerce, a fur product, or any person selling, advertising, offering for sale or processing a fur product which has been shipped and received in commerce, may substitute for the label affixed to such product pursuant to section 4 of this act, a label conforming to the requirements of such section, and such label may show in lieu of the name or other identification shown pursuant to section 4 (2) (E) on the label so removed, the name or other identification of the person making the substitution. Any person substituting a label shall keep such records as will show the information set forth on the label that he removed and the name or names of the person or persons from whom such fur product was received, and shall preserve such records for at least three years. Neglect or refusal to maintain and preserve such records is unlawful, and any person who shall fail to maintain and preserve such records shall forfeit to the United States the sum of \$100 for each day of such failure which shall accrue to the United States and be recoverable by a civil action. Any person substituting a label who shall fail to keep and preserve such records, or who shall by such substitution misbrand a fur product, shall be guilty of an unfair

method of competition, and an unfair or deceptive act or practice, in commerce under the Federal Trade Commission Act.

"(f) Subsections (a), (b), and (c) of this section shall not apply to any common carrier, contract carrier or freight forwarder in respect of a fur product or fur shipped, transported, or delivered for shipment in commerce in the ordinary course of business.

"MISBRANDED FUR PRODUCTS

"SEC. 4. For the purposes of this Act, a fur product shall be considered to be misbranded—

"(1) if it is falsely or deceptively labeled or otherwise falsely or deceptively identified, or if the label contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product;

"(2) if there is not affixed to the fur product a label showing in words and figures plainly legible—

"(A) the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this Act;

"(B) that the fur product contains or is composed of used fur, when such is the fact;

"(C) that the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

"(D) that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

"(E) the name, or other identification issued and registered by the Commission, of one or more of the persons who manufacture such fur product for introduction into commerce, introduce it into commerce, sell it in commerce, advertise or offer it for sale in commerce, or transport or distribute it in commerce;

"(F) the name of the country of origin of any imported furs used in the fur product;

"(3) if the label required by paragraph (2) (A) of this section sets forth the name or names of any animal or animals other than the name or names provided for in such paragraph.

"FALSE ADVERTISING AND INVOICING OF FUR PRODUCTS AND FURS

"SEC. 5. (a) For the purposes of this Act, a fur product or fur shall be considered to be falsely or deceptively advertised if any advertisement, representation, public announcement, or notice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of such fur product or fur—

"(1) does not show the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this Act;

"(2) does not show that the fur is used fur or that the fur product contains used fur, when such is the fact;

"(3) does not show that the fur product or fur is bleached, dyed, or otherwise artificially colored fur when such is the fact;

"(4) does not show that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

"(5) contains the name or names of any animal or animals other than the name or names specified in paragraph (1) of this subsection, or contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product or fur;

"(6) does not show the name of the country of origin of any imported furs or those contained in a fur product.

"(b) For the purposes of this Act, a fur product or fur shall be considered to be falsely or deceptively invoiced—

"(1) if such fur product or fur is not invoiced to show—

"(A) the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this Act;

"(B) that the fur product contains or is composed of used fur, when such is the fact;

"(C) that the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

"(D) that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

"(E) the name and address of the person issuing such invoice;

"(F) the name of the country of origin of any imported furs or those contained in a fur product;

"(2) if such invoice contains the name or names of any animal or animals other than the name or names specified in paragraph (1) (A) of this subsection, or contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product or fur.

"EXCLUSION OF MISBRANDED OR FALSELY INVOICED FUR PRODUCTS OR FURS

"SEC. 6. (a) Fur products imported into the United States shall be labeled so as not to be misbranded within the meaning of section 4 of this Act; and all invoices of fur products and furs required under title IV of the Tariff Act of 1930, as amended, shall set forth, in addition to the matters therein specified, information conforming with the requirements of section 5 (b) of this Act, which information shall be included in the invoices prior to their certification under the Tariff Act of 1930, as amended.

"(b) The falsification of, or failure to set forth, said information in said invoices, or the falsification or perjury of the consignee's declaration provided for in the Tariff Act of 1930, as amended, insofar as it relates to said information, shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act; and any person who falsifies, or fails to set forth, said information in said invoices, or who falsifies or perjures said consignee's declaration insofar as it relates to said information, may thenceforth be prohibited by the Commission from importing, or participating in the importation of, any fur products or furs into the United States except upon filing bond with the Secretary of the Treasury in a sum double the value of said fur products and furs, and any duty thereon, conditioned upon compliance with the provisions of this section.

"(c) A verified statement from the manufacturer, producer of, or dealer in, imported fur products and furs showing information required under the provisions of this Act may be required under regulations prescribed by the Secretary of the Treasury.

"NAME GUIDE FOR FUR PRODUCTS

"SEC. 7. (a) The Commission shall, with the assistance and cooperation of the Department of Agriculture and the Department of the Interior, within six months after the date of the enactment of this Act, issue, after holding public hearings, a register setting forth the names of hair, fleece, and fur-bearing animals, which shall be known as the Fur Products Name Guide. The names used shall be the true English names for the animals in question, or in the absence of a true English name for an animal, the name by which such animals can be properly identified in the United States.

"(b) The Commission may, from time to time, with the assistance and cooperation of the Department of Agriculture and Department of the Interior, after holding pub-

lic hearings, add to or delete from such register the name of any hair, fleece, or fur-bearing animal.

"(c) If the name of an animal (as set forth in the Fur Products Name Guide) connotes a geographical origin or significance other than the true country or place of origin of such animal, the Commission may require whenever such name is used in setting forth the information required by this Act, such qualifying statement as it may deem necessary to prevent confusion or deception.

"ENFORCEMENT OF THE ACT

"SEC. 8. (a) (1) Except as otherwise specifically provided in this Act, sections 3, 6, and 10 (b) of this Act shall be enforced by the Federal Trade Commission under rules, regulations, and procedure provided for in the Federal Trade Commission Act.

"(2) The Commission is authorized and directed to prevent any person from violating the provisions of sections 3, 6, and 10 (b) of this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this Act; and any such person violating any provision of section 3, 6, or 10 (b) of this Act shall be subject to the penalties and entitled to the privileges and immunities provided in said Federal Trade Commission Act as though the applicable terms and provisions of the said Federal Trade Commission Act were incorporated into and made a part of this Act.

"(b) The Commission is authorized and directed to prescribe rules and regulations governing the manner and form of disclosing information required by this Act, and such further rules and regulations as may be necessary and proper for purposes of administration and enforcement of this Act.

"(c) The Commission is authorized (1) to cause inspections, analyses, tests, and examinations to be made of any fur product or fur subject to this Act; and (2) to cooperate, on matters related to the purposes of this Act, with any department or agency of the Government; with any State, Territory, or possession, or with the District of Columbia; or with any department, agency, or political subdivision thereof; or with any person.

"(d) (1) Every manufacturer or dealer in fur products or furs shall maintain proper records showing the information required by this Act with respect to all fur products or furs handled by him, and shall preserve such records for at least three years.

"(2) The neglect or refusal to maintain and preserve such records is unlawful, and any such manufacturer or dealer who neglects or refuses to maintain and preserve such records shall forfeit to the United States the sum of \$100 for each day of such failure which shall accrue to the United States and be recoverable by a civil action.

"CONDEMNATION AND INJUNCTION PROCEEDINGS

"SEC. 9. (a) (1) Any fur product or fur shall be liable to be proceeded against in the district court of the United States for the district in which found, and to be seized for confiscation by process of libel for condemnation, if the Commission has reasonable cause to believe such fur product or fur is being manufactured or held for shipment, or shipped, or held for sale or exchange after shipment, in commerce, in violation of the provisions of this Act, and if after notice from the Commission the provisions of this Act with respect to such fur product or fur are not shown to be complied with. Proceedings in such libel cases shall conform as nearly as may be to suits in rem in admiralty, and may be brought by the Commission.

"(2) If such fur products or furs are condemned by the court, they shall be disposed of, in the discretion of the court, by destruc-

tion, by sale, by delivery to the owner or claimant thereof upon payment of legal costs and charges and upon execution of good and sufficient bond to the effect that such fur or fur products will not be disposed of until properly marked, advertised, and invoiced as required under the provisions of this Act; or by such charitable disposition as the court may deem proper. If such furs or fur products are disposed of by sale, the proceeds, less legal costs and charges, shall be paid into the Treasury of the United States as miscellaneous receipts.

"(b) Whenever the Commission has reason to believe that—

"(1) any person is violating, or is about to violate, section 3, 6, or 10 (b) of this Act; and

"(2) it would be to the public interest to enjoin such violation until complaint is issued by the Commission under the Federal Trade Commission Act and such complaint dismissed by the Commission or set aside by the court on review, or until order to cease and desist made thereon by the Commission has become final within the meaning of the Federal Trade Commission Act,

the Commission may bring suit in the district court of the United States or in the United States court of any Territory, for the district or Territory in which such person resides or transacts business, to enjoin such violation, and upon proper showing a temporary injunction or restraining order shall be granted without bond.

"GUARANTY

"SEC. 10. (a) No person shall be guilty under section 3 if he establishes a guaranty received in good faith signed by and containing the name and address of the person residing in the United States by whom the fur product or fur guaranteed was manufactured or from whom it was received, that said fur product is not misbranded or that said fur product or fur is not falsely advertised or invoiced under the provisions of this Act. Such guaranty shall be either (1) a separate guaranty specifically designating the fur product or fur guaranteed, in which case it may be on the invoice or other paper relating to such fur product or fur; or (2) a continuing guaranty filed with the Commission applicable to any fur product or fur handled by a guarantor, in such form as the Commission by rules and regulations may prescribe.

"(b) It shall be unlawful for any person to furnish, with respect to any fur product or fur, a false guaranty (except a person relying upon a guaranty to the same effect received in good faith signed by and containing the name and address of the person residing in the United States by whom the fur product or fur guaranteed was manufactured or from whom it was received) with reason to believe the fur product or fur falsely guaranteed may be introduced, sold, transported, or distributed in commerce, and any person who violates the provisions of this subsection is guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce within the meaning of the Federal Trade Commission Act.

"CRIMINAL PENALTY

"SEC. 11. (a) Any person who willfully violates section 3, 6, or 10 (b) of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not more than \$5,000, or be imprisoned not more than one year, or both, in the discretion of the court.

"(b) Whenever the Commission has reason to believe any person is guilty of a misdemeanor under this section, it shall certify all pertinent facts to the Attorney General, whose duty it shall be to cause appropriate proceedings to be brought for the enforcement of the provisions of this section against such person.

"APPLICATION OF EXISTING LAWS

"SEC. 12. The provisions of this Act shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other Act of Congress.

"SEPARABILITY OF PROVISIONS

"SEC. 13. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to any other person or circumstance shall not be affected thereby.

"EFFECTIVE DATE

"SEC. 14. This Act, except section 7, shall take effect one year after the date of its enactment."

And the Senate agree to the same.

ED. C. JOHNSON,
ERNEST W. MCFARLAND,
WARREN G. MAGNUSON, Jr.,
OWEN BREWSTER,
HOMER E. CAPEHART,

Managers on the Part of the Senate.

LINDLEY BECKWORTH,
J. PERCY PRIEST,
OREN HARRIS,
CHAS. A. WOLVERTON,
JOS. P. O'HARA,

Managers on the Part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the conference report?

There being no objection, the report was considered and agreed to.

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by me explaining the conference report.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSON OF COLORADO

When this proposed legislation was considered by the Senate on June 21, the text of the companion Senate bill (S. 508) was substituted for the language of the House bill. In addition certain amendments offered by the junior Senator from Massachusetts [Mr. LODGE] were adopted. The House disagreed to the Senate substitute and asked for a conference.

The conferees have had two meetings, and the report has the unanimous approval of the 10-man conference committee. Briefly, the House conferees agreed to accept the Senate substitute with these exceptions: Minor changes, in the nature of perfecting amendments, were made in the bill, and a substitute amendment, for the Lodge amendments, proposed by the House conferees, was adopted.

This is how the matter was handled in the Senate and in conference:

The Senate struck out all of the House bill after the enacting clause and inserted an amendment in the nature of a substitute. The House recedes from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment.

While the Senate amendment was a complete substitute for the House bill the actual differences were few.

The following statement explains those provisions of the substitute agreed to in conference which differ from the bill as it passed the House.

AUTHORITY TO SUBSTITUTE LABEL

Section 4 of the bill as it passed the House provided that a fur product should be considered to be misbranded unless there was affixed thereto a label giving certain specified information. Among the information required to be given was the name, or other identification issued and registered by the Federal Trade Commission, of one or more

of the persons who manufacture the fur product for introduction into interstate commerce, introduce it into interstate commerce, sell it in interstate commerce, advertise or offer it for sale in interstate commerce, or transport or distribute it in interstate commerce.

Section 3 of the House bill prohibited the removal or mutilation of any such label, except that it was provided that any person introducing, selling, advertising, or offering for sale, in interstate commerce, or processing for interstate commerce, a fur product could substitute for the label affixed to the product a label conforming to the requirements of section 4, showing, in lieu of the name or other identification shown pursuant to section 4, the name or other identification of the person making the substitution. It was provided that any person making such a substitution should keep records showing the information on the label removed and the name of the person from whom the fur product was received.

The provisions of the Senate amendment were the same as those of the House bill, except that the privilege of label substitution was also given to an additional class of persons, that is, any person selling, advertising, or processing a fur product after the interstate movement had been completed.

The conference substitute, in section 3 (e), includes this feature from the Senate amendment, but in the interest of effective enforcement it is provided (1) that records as to substitution of labels shall be preserved for 3 years; (2) that any person failing to keep the required records shall forfeit to the United States \$100 for each day of such failure, such penalty to be recoverable in a civil action; and (3) that failure to keep such records, or substitution of a label in such manner as to misbrand the fur product, shall constitute an unfair method of competition and an unfair or deceptive act or practice under the Federal Trade Commission Act.

COUNTRY OF ORIGIN

Both the House bill and the Senate amendment provided that fur products shall be considered to be misbranded, and that furs or fur products shall be considered to be falsely or deceptively advertised or invoiced, unless certain specified information is shown in the labeling, advertising, or invoice. However, the Senate amendment contained requirements, not contained in the House bill; that the label, advertisement, or invoice show the name of the country of origin of any imported furs used in a fur product and that the advertisement or invoice show the name of the country of origin in the case of any imported fur. These requirements which were contained in the Senate amendment are included in sections 4 and 5 of the conference substitute.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATIONS, 1952

The VICE PRESIDENT. In accordance with the unanimous-consent agreement heretofore entered into, the Chair lays before the Senate the bill (H. R. 3282) making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank of Washington for the fiscal year ending June 30, 1952, and for other purposes.

The question before the Senate is on agreeing to the committee amendment on page 15, line 14. Without objection, the amendment is agreed to.

The Secretary will state the next amendment.

The next amendment was, under the subhead "Transportation of mails," on

page 15, line 20, after the word "payments", to strike out the comma and "current and prior fiscal years."

The amendment was agreed to.

Mr. DOUGLAS. Mr. President, I have just come into the Chamber. Was the appropriation on page 16, line 2, approved?

The VICE PRESIDENT. No; we have not reached that yet. The committee amendment on page 15, line 14, was agreed to. Also, without objection, the committee amendment on page 15, line 20, was agreed to.

The Secretary will state the next amendment.

The next amendment was, on page 15, in line 22, after the word "facilities", to insert "including current and prior fiscal years."

The amendment was agreed to.

The next amendment was, on page 16, line 2, after the word "service", to strike out "\$465,000,000" and insert "\$466,000,000."

Mr. DOUGLAS. I call up my amendment B, July 26, 1951, which has been misprinted. As printed, it is addressed to House bill 3973. It should be House bill 3282.

The VICE PRESIDENT. The Secretary will state the amendment.

The LEGISLATIVE CLERK. On page 16, line 2, it is proposed to strike out "\$466,000,000" and insert "\$450,000,000."

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Illinois to the committee amendment.

Mr. DOUGLAS. Mr. President, last year the appropriations for transportation of mails amounted to \$438,000,000. In the pending bill the House appropriated \$465,000,000. The Senate committee has raised the figure to \$466,000,000, which is \$1,000,000 more than the House figure, and \$28,000,000 more than the appropriation of last year, or an increase of 6½ percent, although it is estimated that there will be an increase of only 3.7 percent in the volume of traffic.

Furthermore attention should be called to the fact that the requested appropriation of \$466,000,000 does not include any allowance for increased rates for mail transportation which may be authorized by the Interstate Commerce Commission. That will be taken care of in a deficiency appropriation, to follow later; so that we are being asked to appropriate 6½ percent more money for a 3.7 percent increased volume of business.

In the past, I think we have tended to take the appropriations for transportation of mails too much for granted. What happens, as we all know, is that the Interstate Commerce Commission fixes the rates for transportation of mails by the railroads and charges the cost to the Post Office. The Civil Aeronautics Board then fixes the rates for air transportation, and charges the amount to the Post Office. Also, the Maritime Administration fixes the rates on mail carried by ships, and charges the cost to the Post Office Department.

Certainly there are subsidies connected with both the transportation of air mail and the transportation of sea

forth in the preamble to this joint resolution.

SEC. 2. *Be it further resolved*, That the proclamation of the president of the Republic of Texas, bearing date May 5, 1845, and the election of deputies to sit in convention, at Austin, on the fourth day of July next, for the adoption of a constitution for the State of Texas, had in accordance therewith, hereby receives the consent of the existing government of Texas.

SEC. 3. *Be it further resolved*, That the president of Texas is hereby requested immediately to furnish the Government of the United States, through their accredited minister near this government, with a copy of this joint resolution; also to furnish the convention to assemble at Austin on the fourth of July next, a copy of the same. And the same shall take effect from and after its passage.

TEXAS ANNEXATION AGREEMENT PROPOSAL BY THE UNITED STATES

JOINT RESOLUTION OF THE CONGRESS OF THE UNITED STATES, MARCH 1, 1845, TWENTY-EIGHTH CONGRESS, SECOND SESSION (5 STAT. 797)

Joint resolution for annexing Texas to the United States

Resolved, etc., That Congress doth consent that the territory properly included within, and rightfully belonging to the Republic of Texas, may be erected into a new State, to be called the State of Texas, with a republican form of government, to be adopted by the people of said Republic, by deputies in convention assembled, with the consent of the existing government, in order that the same may be admitted as one of the States of this Union.

2. *And be it further resolved*, That the foregoing consent of Congress is given upon the following conditions, and with the following guaranties, to wit: First, said State to be formed, subject to the adjustment by this Government of all questions of boundary that may arise with other governments; and the Constitution thereof, with the proper evidence of its adoption by the people of said Republic of Texas, shall be transmitted to the President of the United States, to be laid before Congress for its final action, on or before the 1st day of January 1846. Second, said State, when admitted into the Union, after ceding to the United States all public edifices, fortifications, barracks, ports, and harbors, navy and navy yards, docks, magazines, arms, armaments, and all other property and means pertaining to the public defense belonging to said Republic of Texas, shall retain all the public funds, debts, taxes, and dues of every kind which may belong to or be due and owing said Republic; and shall also retain all the vacant and unappropriated lands lying within its limits, to be applied to the payment of the debts and liabilities of said Republic of Texas; and the residue of said lands, after discharging said debts and liabilities of said Republic of Texas; and the residue of said lands, after discharging said debts and liabilities, to be disposed of as said State may direct; but in no event are said debts and liabilities to become a charge upon the Government of the United States. Third, new States, of convenient size, not exceeding four in number, in addition to said State of Texas, and having sufficient population, may hereafter, by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the Federal Constitution. And such States as may be formed out of that portion of said territory lying south of 36 degrees 30 minutes north latitude, commonly known as the Missouri Compromise line, shall be admitted into the Union with or without slavery, as the people of each State asking admission

may desire. And in such State or States as shall be formed out of said territory north of said Missouri Compromise line, slavery, or involuntary servitude (except for crime) shall be prohibited.

3. *And be it further resolved*, That if the President of the United States shall in his judgment and discretion deem it most advisable, instead of proceeding to submit the foregoing resolution to the Republic of Texas, as an overture on the part of the United States for admission, to negotiate with that Republic: Then be it

Resolved, that a State, to be formed out of the present Republic of Texas, with suitable extent and boundaries, and with two Representatives in Congress, until the next apportionment of representation, shall be admitted into the Union, by virtue of this act, on an equal footing with the existing States, as soon as the terms and conditions of such admission, and the cession of the remaining Texan Territory to the United States shall be agreed upon by the Government of Texas and the United States. And that sum of \$100,000 be, and the same is hereby, appropriated to defray the expenses of missions and negotiations, to agree upon the terms of said admission and cession, either by treaty to be submitted to the Senate, or by articles to be submitted to the two Houses of Congress, as the President may direct.¹

ADJOURNMENT UNTIL MONDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PROGRAM FOR NEXT WEEK

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Ohio. Mr. Speaker, may I ask the majority leader if he can give us the schedule for the coming week?

Mr. McCORMACK. I will be very glad to do so.

On Monday we will take up the conference report on the Defense Production Act, a continuing resolution on temporary appropriations for 1952, after which the present bill will be further considered.

For the remainder of the week, beginning on Tuesday, there will be the District of Columbia hospital facilities bill, H. R. 2094.

Mr. BROWN of Ohio. Is that the measure for which a unanimous consent request was granted previously?

Mr. McCORMACK. Yes. Mr. Speaker, I ask unanimous consent that it may be in order for the House to consider at any time next week the bill H. R. 2094, the District of Columbia hospital facilities bill, under the general rules of the House, with general debate limited to not more than one hour, to be controlled in accordance with the rules of the House.

¹ The alternative plan contained in section 3 was discarded by the President of the United States and formed no part of the annexation negotiations or agreement (4 Miller Treaties and Other International Acts of the United States (Department of State, 1934), 706-708).

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Will there be any roll call on Monday?

Mr. McCORMACK. Oh, yes.

H. R. 3298, to amend the Federal Food and Drug Act.

House Joint Resolution 323, investigations, from the Committee on Interstate and Foreign Commerce.

H. R. 1227 relating to experimental submarines.

H. R. 1180 relating to research and development, armed services.

Mr. BROWN of Ohio. That is the bill that carries some \$5,500,000,000 authorization, is it not?

Mr. McCORMACK. Yes, that is my understanding.

H. R. 4550, Mutual Defense Assistance Control Act of 1951, if a rule is adopted.

Any further program or any changes will be announced later. Conference reports, of course, are in order at any time.

Mr. BROWN of Ohio. May I inquire if H. R. 4550, the Mutual Defense Assistance Control Act of 1951, is the big bill?

Mr. McCORMACK. No. This is the Battle bill and has relationship to the Kem amendment.

Mr. BROWN of Ohio. I thank the gentleman.

CORRECTION OF VOTE

Mr. ROONEY. Mr. Speaker, on roll call No. 137, I am recorded as not voting. I was present and voted "aye." I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CORRECTION OF THE RECORD

Mr. POAGE. Mr. Speaker, I ask unanimous consent to correct the RECORD of July 20 on page 8744, sixth line, in the remarks attributed to me. The RECORD continues to discuss my amendment, but the wording from there on is the wording of the gentleman from Massachusetts [Mr. McCORMACK]. His name does not appear.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

THE LATE ADMIRAL FORREST P. SHERMAN

(Mrs. ROGERS of Massachusetts asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ROGERS of Massachusetts. Mr. Speaker, I missed the opportunity to vote in favor of the rule to consider the so-called tidelands bill because I was privileged to attend the funeral of Admiral Forrest P. Sherman.

I could not help but feel at that funeral the great pride that Mr. and Mrs. Sherman would have felt could they

have seen the tribute paid to their son, Admiral Forrest Sherman, former Chief of Naval Operations, the pride they must have felt that they had four sons they gave to the service of their country, two to the Navy and two to the Army. I had the pleasant duty of representing Melrose as a Member of Congress for 10 years and Mr. Sherman, an outstanding citizen of that city was always a help and inspiration.

Admiral Sherman will be remembered always for his great service at this critical period. One very close to him told me that it was not the work that killed him but the anxiety of these times and his fear of communism.

FUR PRODUCTS LABELING ACT

Mr. O'HARA submitted the following conference report and statement on the bill (H. R. 2321) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs:

CONFERENCE REPORT (H. REPT. No. 769)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2321) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this act may be cited as the 'Fur Products Labeling Act.'"

"SEC. 2. As used in this act—

"(a) The term 'person' means an individual, partnership, corporation, association, business trust, or any organized group of any of the foregoing.

"(b) The term 'fur' means any animal skin or part thereof with hair, fleece, or fur fibers attached thereto, either in its raw or processed state, but shall not include such skins as are to be converted into leather or which in processing shall have the hair, fleece, or fur fiber completely removed.

"(c) The term 'used fur' means fur in any form which has been worn or used by an ultimate consumer.

"(d) The term 'fur product' means any article of wearing apparel made in whole or in part of fur or used fur; except that such term shall not include such articles as the Commission shall exempt by reason of the relatively small quantity or value of the fur or used fur contained therein.

"(e) The term 'waste fur' means the ears, throats, or scrap pieces which have been severed from the animal pelt, and shall include mats or plates made therefrom.

"(f) The term 'invoice' means a written account, memorandum, list, or catalog, which is issued in connection with any commercial dealing in fur products or furs, and describes the particulars of any fur products or furs, transported or delivered to a purchaser, consignee, factor, bailee, correspondent, or agent, or any other person who is engaged in dealing commercially in fur products or furs.

"(g) The term 'Commission' means the Federal Trade Commission.

"(h) The term 'Federal Trade Commission Act' means the Act entitled 'An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes', approved September 26, 1914, as amended.

"(i) The term 'Fur Products Name Guide' means the register issued by the Commission pursuant to section 7 of this Act.

"(j) The term 'commerce' means commerce between any State, Territory, or pos-

session of the United States, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession or the District of Columbia.

"(k) The term 'United States' means the several States, the District of Columbia, and the Territories and possessions of the United States.

"MISBRANDING, FALSE ADVERTISING, AND INVOICING DECLARED UNLAWFUL

"SEC. 3. (a) The introduction, or manufacture for introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product which is misbranded or falsely or deceptively advertised or invoiced, within the meaning of this Act or the rules and regulations prescribed under section 8 (b), is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act.

"(b) The manufacture for sale, sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, and which is misbranded or falsely or deceptively advertised or invoiced, within the meaning of this Act or the rules and regulations prescribed under section 8 (b), is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act.

"(c) The introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur which is falsely or deceptively advertised or falsely or deceptively invoiced, within the meaning of this Act or the rules and regulations prescribed under section 8 (b), is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act.

"(d) Except as provided in subsection (e) of this section, it shall be unlawful to remove or mutilate, or cause or participate in the removal or mutilation of prior to the time any fur product is sold and delivered to the ultimate consumer, any label required by this Act to be affixed to such fur product, and any person violating this subsection is guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce under the Federal Trade Commission Act.

"(e) Any person introducing, selling, advertising, or offering for sale, in commerce, or processing for commerce, a fur product, or any person selling, advertising, offering for sale or processing a fur product which has been shipped and received in commerce, may substitute for the label affixed to such product pursuant to section 4 of this Act, a label conforming to the requirements of such section, and such label may show in lieu of the name or other identification shown pursuant to section 4 (2) (E) on the label so removed, the name or other identification of the person making the substitution. Any person substituting a label shall keep such records as will show the information set forth on the label that he removed and the name or names of the person or persons from whom such fur product was received, and shall preserve such records for at least three years. Neglect or refusal to maintain and preserve such records is unlawful, and any person who shall fail to maintain and preserve such records shall forfeit to the United States the sum of \$100 for each day of such failure which shall accrue to the United States and be recoverable by a civil action. Any person substituting a label who shall fail to

keep and preserve such records, or who shall by such substitution misbrand a fur product, shall be guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce under the Federal Trade Commission Act.

"(f) Subsections (a), (b), and (c) of this section shall not apply to any common carrier, contract carrier or freight forwarder in respect of a fur product or fur shipped, transported, or delivered for shipment in commerce in the ordinary course of business.

"MISBRANDED FUR PRODUCTS

"SEC. 4. For the purposes of this Act, a fur product shall be considered to be misbranded—

"(1) if it is falsely or deceptively labeled or otherwise falsely or deceptively identified, or if the label contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product;

"(2) if there is not affixed to the fur product a label showing in words and figures plainly legible—

"(A) the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this Act;

"(B) that the fur product contains or is composed of used fur, when such is the fact;

"(C) that the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

"(D) that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

"(E) the name, or other identification issued and registered by the Commission, of one or more of the persons who manufacture such fur product for introduction into commerce, introduce it into commerce, sell it in commerce, advertise or offer it for sale in commerce, or transport or distribute it in commerce;

"(F) the name of the country of origin of any imported furs used in the fur product;

"(3) if the label required by paragraph (2) (A) of this section sets forth the name or names of any animal or animals other than the name or names provided for in such paragraph.

"FALSE ADVERTISING AND INVOICING OF FUR PRODUCTS AND FURS

"SEC. 5. (a) For the purposes of this Act, a fur product or fur shall be considered to be falsely or deceptively advertised if any advertisement, representation, public announcement, or notice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of such fur product or fur—

"(1) does not show the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this Act;

"(2) does not show that the fur is used fur or that the fur product contains used fur, when such is the fact;

"(3) does not show that the fur product or fur is bleached, dyed, or otherwise artificially colored fur when such is the fact;

"(4) does not show that the fur product is composed in whole or in substantial part of paws, tail, bellies, or waste fur, when such is the fact;

"(5) contains the name or names of any animal or animals other than the name or names specified in paragraph (1) of this subsection, or contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product or fur;

"(6) does not show the name of the country of origin of any imported furs or those contained in a fur product.

"(b) For the purposes of this Act, a fur product or fur shall be considered to be falsely or deceptively invoiced—

"(1) if such fur product or fur is not invoiced to show—

"(A) the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this Act;

"(B) that the fur product contains or is composed of used fur, when such is the fact;

"(C) that the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

"(D) that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

"(E) the name and address of the person issuing such invoice;

"(F) the name of the country of origin of any imported furs or those contained in a fur product;

"(2) if such invoice contains the name or names of any animal or animals other than the name or names specified in paragraph (1) (A) of this subsection, or contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product or fur.

"EXCLUSION OF MISBRANDED OR FALSELY INVOICED FUR PRODUCTS OR FURS

"SEC. 6. (a) Fur products imported into the United States shall be labeled so as not to be misbranded within the meaning of section 4 of this act; and all invoices of fur products and furs required under title IV of the Tariff Act of 1930, as amended, shall set forth, in addition to the matters therein specified, information conforming with the requirements of section 5 (b) of this Act, which information shall be included in the invoices prior to their certification under the Tariff Act of 1930, as amended.

"(b) The falsification of, or failure to set forth, said information in said invoices, or the falsification or perjury of the consignee's declaration provided for in the Tariff Act of 1930, as amended, insofar as it relates to said information, shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act; and any person who falsifies, or fails to set forth, said information in said invoices, or who falsifies or perjures said consignee's declaration insofar as it relates to said information, may thenceforth be prohibited by the Commission from importing, or participating in the importation of, any fur products or furs into the United States except upon filing bond with the Secretary of the Treasury in a sum double the value of said fur products and furs, and any duty thereon, conditioned upon compliance with the provisions of this section.

"(c) A verified statement from the manufacturer, producer, or dealer in, imported fur products and furs showing information required under the provisions of this Act may be required under regulations prescribed by the Secretary of the Treasury.

"NAME GUIDE FOR FUR PRODUCTS

"SEC. 7. (a) The Commission shall, with the assistance and cooperation of the Department of Agriculture and the Department of the Interior, within six months after the date of the enactment of this Act, issue, after holding public hearings, a register setting forth the names of hair, fleece, and fur-bearing animals, which shall be known as the Fur Products Name Guide. The names used shall be the true English names for the animals in question, or in the absence of a true English name for an animal, the name by which such animal can be properly identified in the United States.

"(b) The Commission may, from time to time, with the assistance and cooperation of the Department of Agriculture and Department of the Interior, after holding public hearings, add to or delete from such reg-

ister the name of any hair, fleece, or fur-bearing animal.

"(c) If the name of an animal (as set forth in the Fur Products Name Guide) connotes a geographical origin or significance other than the true country or place of origin of such animal, the Commission may require whenever such name is used in setting forth the information required by this Act, such qualifying statement as it may deem necessary to prevent confusion or deception.

"ENFORCEMENT OF THE ACT

"SEC. 8. (a) (1) Except as otherwise specifically provided in this Act, sections 3, 6, and 10 (b) of this Act shall be enforced by the Federal Trade Commission under rules, regulations, and procedure provided for in the Federal Trade Commission Act.

"(2) The Commission is authorized and directed to prevent any person from violating the provisions of sections 3, 6, and 10 (b) of this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this Act; and any such person violating any provision of section 3, 6, or 10 (b) of this Act shall be subject to the penalties and entitled to the privileges and immunities provided in said Federal Trade Commission Act as though the applicable terms and provisions of the said Federal Trade Commission Act were incorporated into and made a part of this Act.

"(b) The Commission is authorized and directed to prescribe rules and regulations governing the manner and form of disclosing information required by this Act, and such further rules and regulations as may be necessary and proper for purposes of administration and enforcement of this Act.

"(c) The Commission is authorized (1) to cause inspections, analyses, tests, and examinations to be made of any fur product or fur subject to this Act; and (2) to cooperate, on matters related to the purposes of this Act, with any department or agency of the Government; with any State, Territory, or possession, or with the District of Columbia; or with any department, agency, or political subdivision thereof; or with any person.

"(d) (1) Every manufacturer or dealer in fur products or furs shall maintain proper records showing the information required by this Act with respect to all fur products or furs handled by him, and shall preserve such records for at least three years.

"(2) The neglect or refusal to maintain and preserve such records is unlawful, and any such manufacturer or dealer who neglects or refuses to maintain and preserve such records shall forfeit to the United States the sum of \$100 for each day of such failure which shall accrue to the United States and be recoverable by a civil action.

"CONDEMNATION AND INJUNCTION PROCEEDINGS

"SEC. 9. (a) (1) Any fur product or fur shall be liable to be proceeded against in the district court of the United States for the district in which found, and to be seized for confiscation by process of libel for condemnation, if the Commission has reasonable cause to believe such fur product or fur is being manufactured or held for shipment, or shipped, or held for sale or exchange after shipment, in commerce, in violation of the provisions of this Act, and if after notice from the Commission the provisions of this Act with respect to such fur product or fur are not shown to be complied with. Proceedings in such libel cases shall conform as nearly as may be to suits in rem in admiralty, and may be brought by the Commission.

"(2) If such fur products or furs are condemned by the court, they shall be disposed of, in the discretion of the court, by destruc-

tion, by sale, by delivery to the owner or claimant thereof upon payment of legal costs charges and upon execution of good and sufficient bond to the effect that such fur or fur products will not be disposed of until properly marked, advertised, and invoiced as required under the provisions of this Act; or by such charitable disposition as the court may deem proper. If such furs or fur products are disposed of by sale, the proceeds, less legal costs and charges, shall be paid into the Treasury of the United States as miscellaneous receipts.

"(b) Whenever the Commission has reason to believe that—

"(1) any person is violating, or is about to violate, section 3, 6, or 10 (b) of this Act; and

"(2) it would be to the public interest to enjoin such violation until complaint is issued by the Commission under the Federal Trade Commission Act and such complaint dismissed by the Commission or set aside by the court on review, or until order to cease and desist made thereon by the Commission has become final within the meaning of the Federal Trade Commission Act,

the Commission may bring suit in the district court of the United States or in the United States court of any Territory, for the district or Territory in which such person resides or transacts business, to enjoin such violation, and upon proper showing a temporary injunction or restraining order shall be granted without bond.

"GUARANTY

"SEC. 10. (a) No person shall be guilty under section 3 if he establishes a guaranty received in good faith signed by and containing the name and address of the person residing in the United States by whom the fur product or fur guaranteed was manufactured or from whom it was received, that said fur product is not misbranded or that said fur product or fur is not falsely advertised or invoiced under the provisions of this Act. Such guaranty shall be either (1) a separate guaranty specifically designating the fur product or fur guaranteed, in which case it may be on the invoice or other paper relating to such fur product or fur; or (2) a continuing guaranty filed with the Commission applicable to any fur product or fur handled by a guarantor, in such form as the Commission by rules and regulations may prescribe.

"(b) It shall be unlawful for any person to furnish, with respect to any fur product or fur, a false guaranty (except a person relying upon a guaranty to the same effect received in good faith signed by and containing the name and address of the person residing in the United States by whom the fur product or fur guaranteed was manufactured or from whom it was received) with reason to believe the fur product or fur falsely guaranteed may be introduced, sold, transported, or distributed in commerce, and any person who violates the provisions of this subsection is guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce within the meaning of the Federal Trade Commission Act.

"CRIMINAL PENALTY

"SEC. 11. (a) Any person who willfully violates section 3, 6, or 10 (b) of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not more than \$5,000, or be imprisoned not more than one year, or both, in the discretion of the court.

"(b) Whenever the Commission has reason to believe any person is guilty of a misdemeanor under this section, it shall certify all pertinent facts to the Attorney General, whose duty it shall be to cause appropriate proceedings to be brought for the enforcement of the provisions of this section against such person.

"APPLICATION OF EXISTING LAWS

"SEC. 12. The provisions of this Act shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other Act of Congress.

"SEPARABILITY OF PROVISIONS

"SEC. 13. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to any other person or circumstance shall not be affected thereby.

"EFFECTIVE DATE

"SEC. 14. This Act, except section 7, shall take effect one year after the date of its enactment."

And the Senate agree to the same.

LINDLEY BECKWORTH,
J. PERCY PRIEST,
OREN HARRIS,
CHAS. A. WOLVERTON,
JOS. P. O'HARA,

Managers on the Part of the House.

ED. C. JOHNSON,
ERNEST W. MCFARLAND
J.,
WARREN G. MAGNUSON
J.,
OWEN BDEWSTER,
HOMER E. CAPEHART,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2321) to protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted an amendment in the nature of a substitute. The House recedes from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment.

While the Senate amendment was a complete substitute for the House bill the actual differences were few.

The following statement explains those provisions of the substitute agreed to in conference which differ from the bill as it passed the House:

AUTHORITY TO SUBSTITUTE LABEL

Section 4 of the bill as it passed the House provided that a fur product should be considered to be misbranded unless there was affixed thereto a label giving certain specified information. Among the information required to be given was the name, or other identification issued and registered by the Federal Trade Commission, of one or more of the persons who manufacture the fur product for introduction into interstate commerce, introduce it into interstate commerce, sell it in interstate commerce, advertise or offer it for sale in interstate commerce, or transport or distribute it in interstate commerce.

Section 3 of the House bill prohibited the removal or mutilation of any such label, except that it was provided that any person introducing, selling, advertising, or offering for sale, in interstate commerce, or processing for interstate commerce, a fur product could substitute for the label affixed to the product a label conforming to the requirements of section 4, showing, in lieu of the name or other identification shown pursuant to section 4, the name or other identification of the person making the substitution. It

was provided that any person making such a substitution should keep records showing the information on the label removed and the name of the person from whom the fur product was received.

The provisions of the Senate amendment were the same as those of the House bill, except that the privilege of label substitution was also given to an additional class of persons, that is, any person selling, advertising, or processing a fur product after the interstate movement had been completed.

The conference substitute, in section 3 (e), includes this feature from the Senate amendment, but in the interest of effective enforcement it is provided (1) that records as to substitution of labels shall be preserved for 3 years; (2) that any person failing to keep the required records shall forfeit to the United States \$100 for each day of such failure, such penalty to be recoverable in a civil action; and (3) that failure to keep such records, or substitution of a label in such manner as to misbrand the fur product, shall constitute an unfair method of competition, and an unfair or deceptive act or practice, under the Federal Trade Commission Act.

COUNTRY OF ORIGIN

Both the House bill and the Senate amendment provided that fur products shall be considered to be misbranded, and that furs or fur products shall be considered to be falsely or deceptively advertised or invoiced, unless certain specified information is shown in the labeling, advertising, or invoice. However, the Senate amendment contained requirements, not contained in the House bill, that the label, advertisement, or invoice show the name of the country of origin of any imported furs used in a fur product and that the advertisement or invoice show the name of the country of origin in the case of any imported fur. These requirements which were contained in the Senate amendment are included in sections 4 and 5 of the conference substitute.

LINDLEY BECKWORTH,
J. PERCY PRIEST,
OREN HARRIS,
CHAS. W. WOLVERTON,
JOS. P. O'HARA,

Managers on the Part of the House.

Mr. O'HARA. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill H. R. 2321.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. O'HARA. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

Mr. McCORMACK. Reserving the right to object, Mr. Speaker, and, of course, I shall not, for the gentleman has discussed this with me, may I ask if this is a unanimous report of the conferees?

Mr. O'HARA. It is a unanimous report of the 10 conferees, 5 on the part of the other body and 5 on the part of the House.

Mr. McCORMACK. I withdraw my reservation of the right to object, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the statement.

The conference report was agreed to.

A motion to reconsider was laid on the table.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1951

Mr. SPENCE submitted the following conference report and statement:

CONFERENCE REPORT (H. REPT. NO. 770)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1717) to amend and extend the Defense Production Act of 1950 and the Housing and Rent Act of 1947, as amended, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That this Act may be cited as the 'Defense Production Act Amendments of 1951'."

"TITLE I—AMENDMENTS TO DEFENSE PRODUCTION ACT OF 1950

"PRIORITIES AND ALLOCATIONS

"SEC. 101. (a) Section 101 of the Defense Production Act of 1950 is amended by adding at the end thereof the following: 'No restriction, quota, or other limitation shall be placed upon the quantity of livestock which may be slaughtered or handled by any processor.'

"(b) Section 102 of the Defense Production Act of 1950 is amended by striking out the third sentence and inserting in lieu thereof the following sentences: 'In making such designations, the President may prescribe such conditions with respect to the accumulation of materials in excess of the reasonable demands of business, personal, or home consumption as he deems necessary to carry out the objectives of this Act. This section shall not be construed to limit the authority contained in sections 101 and 704 of this Act.'

"(c) Title I of the Defense Production Act of 1950 is hereby amended by adding the following section:

"SEC. 104. Import controls of fats and oils (including oil-bearing materials, fatty acids, and soap and soap powder, but excluding petroleum and petroleum products and coconuts and coconut products), peanuts, butter, cheese and other dairy products, and rice and rice products are necessary for the protection of the essential security interests and economy of the United States in the existing emergency in international relations, and no imports of any such commodity or product shall be admitted to the United States until after June 30, 1952, which the Secretary of Agriculture determines would (a) impair or reduce the domestic production of any such commodity or product below present production levels, or below such higher levels as the Secretary of Agriculture may deem necessary in view of domestic and international conditions, or (b) interfere with the orderly domestic storing and marketing of any such commodity or product, or (c) result in any unnecessary burden or expenditures under any Government price support program. The President shall exercise the authority and powers conferred by this section.

"AUTHORITY TO REQUISITION AND CONDEMN

"SEC. 102. (a) Title II of the Defense Production Act of 1950 is amended by adding to the heading thereof the words 'AND CONDEMN'.

"(b) Section 201 of the Defense Production Act of 1950 is amended—

"(1) By adding at the end of subsection (a) the following new sentence: 'No real property (other than equipment and facilities, and buildings and other structures, to be demolished and used as scrap or second-

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Public Law 110 - 82d Congress
Chapter 298 - 1st Session
H. R. 2321

AN ACT

To protect consumers and others against misbranding, false advertising, and false invoicing of fur products and furs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Fur Products Labeling Act".

SEC. 2. As used in this Act—

(a) The term "person" means an individual, partnership, corporation, association, business trust, or any organized group of any of the foregoing.

(b) The term "fur" means any animal skin or part thereof with hair, fleece, or fur fibers attached thereto, either in its raw or processed state, but shall not include such skins as are to be converted into leather or which in processing shall have the hair, fleece, or fur fiber completely removed.

(c) The term "used fur" means fur in any form which has been worn or used by an ultimate consumer.

(d) The term "fur product" means any article of wearing apparel made in whole or in part of fur or used fur; except that such term shall not include such articles as the Commission shall exempt by reason of the relatively small quantity or value of the fur or used fur contained therein.

(e) The term "waste fur" means the ears, throats, or scrap pieces which have been severed from the animal pelt, and shall include mats or plates made therefrom.

(f) The term "invoice" means a written account, memorandum, list, or catalog, which is issued in connection with any commercial dealing in fur products or furs, and describes the particulars of any fur products or furs, transported or delivered to a purchaser, consignee, factor, bailee, correspondent, or agent, or any other person who is engaged in dealing commercially in fur products or furs.

(g) The term "Commission" means the Federal Trade Commission.

(h) The term "Federal Trade Commission Act" means the Act entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes", approved September 26, 1914, as amended.

(i) The term "Fur Products Name Guide" means the register issued by the Commission pursuant to section 7 of this Act.

(j) The term "commerce" means commerce between any State, Territory, or possession of the United States, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession or the District of Columbia.

(k) The term "United States" means the several States, the District of Columbia, and the Territories and possessions of the United States.

MISBRANDING, FALSE ADVERTISING, AND INVOICING DECLARED UNLAWFUL

SEC. 3. (a) The introduction, or manufacture for introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product which is misbranded or falsely or deceptively advertised or invoiced, within the meaning of this Act or the rules and regulations prescribed under section 8 (b), is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act.

(b) The manufacture for sale, sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, and which is misbranded or falsely or deceptively advertised or invoiced, within the meaning of this Act or the rules and regulations prescribed under section 8 (b), is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act.

(c) The introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur which is falsely or deceptively advertised or falsely or deceptively invoiced, within the meaning of this Act or the rules and regulations prescribed under section 8 (b), is unlawful and shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act.

(d) Except as provided in subsection (e) of this section, it shall be unlawful to remove or mutilate, or cause or participate in the removal or mutilation of, prior to the time any fur product is sold and delivered to the ultimate consumer, any label required by this Act to be affixed to such fur product, and any person violating this subsection is guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce under the Federal Trade Commission Act.

(e) Any person introducing, selling, advertising, or offering for sale, in commerce, or processing for commerce, a fur product, or any person selling, advertising, offering for sale or processing a fur product which has been shipped and received in commerce, may substitute for the label affixed to such product pursuant to section 4 of this Act, a label conforming to the requirements of such section, and such label may show in lieu of the name or other identification shown pursuant to section 4 (2) (E) on the label so removed, the name or other identification of the person making the substitution. Any person substituting a label shall keep such records as will show the information set forth on the label that he removed and the name or names of the person or persons from whom such fur product was received, and shall preserve such records for at least three years. Neglect or refusal to maintain and preserve such records is unlawful, and any person who shall fail to maintain and preserve such records shall forfeit to the United States the sum of \$100 for each day of such failure which shall accrue to the United States and be recoverable by a civil action. Any person substituting a label who shall fail to keep and preserve such records, or who shall by such substitution misbrand a fur product, shall be guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce under the Federal Trade Commission Act.

(f) Subsections (a), (b), and (c) of this section shall not apply to any common carrier, contract carrier or freight forwarder in respect of a fur product or fur shipped, transported, or delivered for shipment in commerce in the ordinary course of business.

MISBRANDED FUR PRODUCTS

SEC. 4. For the purposes of this Act, a fur product shall be considered to be misbranded—

(1) if it is falsely or deceptively labeled or otherwise falsely or deceptively identified, or if the label contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product;

(2) if there is not affixed to the fur product a label showing in words and figures plainly legible—

(A) the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this Act;

(B) that the fur product contains or is composed of used fur, when such is the fact;

(C) that the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

(D) that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(E) the name, or other identification issued and registered by the Commission, of one or more of the persons who manufacture such fur product for introduction into commerce, introduce it into commerce, sell it in commerce, advertise or offer it for sale in commerce, or transport or distribute it in commerce;

(F) the name of the country of origin of any imported furs used in the fur product;

(3) if the label required by paragraph (2) (A) of this section sets forth the name or names of any animal or animals other than the name or names provided for in such paragraph.

FALSE ADVERTISING AND INVOICING OF FUR PRODUCTS AND FURS

SEC. 5. (a) For the purposes of this Act, a fur product or fur shall be considered to be falsely or deceptively advertised if any advertisement, representation, public announcement, or notice which is intended to aid, promote, or assist directly or indirectly in the sale or offering for sale of such fur product or fur—

(1) does not show the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this Act;

(2) does not show that the fur is used fur or that the fur product contains used fur, when such is the fact;

(3) does not show that the fur product or fur is bleached, dyed, or otherwise artificially colored fur when such is the fact;

(4) does not show that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(5) contains the name or names of any animal or animals other than the name or names specified in paragraph (1) of this subsection, or contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product or fur;

(6) does not show the name of the country of origin of any imported furs or those contained in a fur product.

(b) For the purposes of this Act, a fur product or fur shall be considered to be falsely or deceptively invoiced—

(1) if such fur product or fur is not invoiced to show—

(A) the name or names (as set forth in the Fur Products Name Guide) of the animal or animals that produced the fur, and such qualifying statement as may be required pursuant to section 7 (c) of this Act;

(B) that the fur product contains or is composed of used fur, when such is the fact;

(C) that the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

(D) that the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(E) the name and address of the person issuing such invoice;

(F) the name of the country of origin of any imported furs or those contained in a fur product;

(2) if such invoice contains the name or names of any animal or animals other than the name or names specified in paragraph (1) (A) of this subsection, or contains any form of misrepresentation or deception, directly or by implication, with respect to such fur product or fur.

EXCLUSION OF MISBRANDED OR FALSELY INVOICED FUR PRODUCTS OR FURS

SEC. 6. (a) Fur products imported into the United States shall be labeled so as not to be misbranded within the meaning of section 4 of this Act; and all invoices of fur products and furs required under title IV of the Tariff Act of 1930, as amended, shall set forth, in addition to the matters therein specified, information conforming with the requirements of section 5 (b) of this Act, which information shall be included in the invoices prior to their certification under the Tariff Act of 1930, as amended.

(b) The falsification of, or failure to set forth, said information in said invoices, or the falsification or perjury of the consignee's declaration provided for in the Tariff Act of 1930, as amended, insofar as it relates to said information, shall be an unfair method of competition, and an unfair and deceptive act or practice, in commerce under the Federal Trade Commission Act; and any person who falsifies, or fails to set forth, said information in said invoices, or who falsifies or perjures said consignee's declaration insofar as it relates to said information, may thenceforth be prohibited by the Commission from importing, or participating in the importation of, any fur products or furs into the United States except upon filing bond with the Secretary of the Treasury in a sum double the value of said fur products and furs, and any duty thereon, conditioned upon compliance with the provisions of this section.

(c) A verified statement from the manufacturer, producer of, or dealer in, imported fur products and furs showing information required under the provisions of this Act may be required under regulations prescribed by the Secretary of the Treasury.

NAME GUIDE FOR FUR PRODUCTS

SEC. 7. (a) The Commission shall, with the assistance and cooperation of the Department of Agriculture and the Department of the Interior, within six months after the date of the enactment of this Act, issue, after holding public hearings, a register setting forth the names of hair, fleece, and fur-bearing animals, which shall be known as the Fur Products Name Guide. The names used shall be the true English names for the animals in question, or in the absence of a true English name for an animal, the name by which such animal can be properly identified in the United States.

(b) The Commission may, from time to time, with the assistance and cooperation of the Department of Agriculture and Department of the Interior, after holding public hearings, add to or delete from such register the name of any hair, fleece, or fur-bearing animal.

(c) If the name of an animal (as set forth in the Fur Products Name Guide) connotes a geographical origin or significance other than the true country or place of origin of such animal, the Commission may require whenever such name is used in setting forth the information required by this Act, such qualifying statement as it may deem necessary to prevent confusion or deception.

ENFORCEMENT OF THE ACT

SEC. 8. (a) (1) Except as otherwise specifically provided in this Act, sections 3, 6, and 10 (b) of this Act shall be enforced by the Federal Trade Commission under rules, regulations, and procedure provided for in the Federal Trade Commission Act.

(2) The Commission is authorized and directed to prevent any person from violating the provisions of sections 3, 6, and 10 (b) of this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this Act; and any such person violating any provision of section 3, 6, or 10 (b) of this Act shall be subject to the penalties and entitled to the privileges and immunities provided in said Federal Trade Commission Act as though the applicable terms and provisions of the said Federal Trade Commission Act were incorporated into and made a part of this Act.

(b) The Commission is authorized and directed to prescribe rules and regulations governing the manner and form of disclosing information required by this Act, and such further rules and regulations as may be necessary and proper for purposes of administration and enforcement of this Act.

(c) The Commission is authorized (1) to cause inspections, analyses, tests, and examinations to be made of any fur product or fur subject to this Act; and (2) to cooperate, on matters related to the purposes of this Act, with any department or agency of the Government; with any State, Territory, or possession, or with the District of Columbia; or with any department, agency, or political subdivision thereof; or with any person.

(d) (1) Every manufacturer or dealer in fur products or furs shall maintain proper records showing the information required by this Act with respect to all fur products or furs handled by him, and shall preserve such records for at least three years.

(2) The neglect or refusal to maintain and preserve such records is unlawful, and any such manufacturer or dealer who neglects or refuses to maintain and preserve such records shall forfeit to the United States the sum of \$100 for each day of such failure which shall accrue to the United States and be recoverable by a civil action.

CONDEMNATION AND INJUNCTION PROCEEDINGS

SEC. 9. (a) (1) Any fur product or fur shall be liable to be proceeded against in the district court of the United States for the district in which found, and to be seized for confiscation by process of libel for condemnation, if the Commission has reasonable cause to believe such fur product or fur is being manufactured or held for shipment, or shipped, or held for sale or exchange after shipment, in commerce, in violation of the provisions of this Act, and if after notice from the Commission the provisions of this Act with respect to such fur product or fur are not shown to be complied with. Proceedings in such libel cases shall conform as nearly as may be to suits in rem in admiralty, and may be brought by the Commission.

(2) If such fur products or furs are condemned by the court, they shall be disposed of, in the discretion of the court, by destruction, by sale, by delivery to the owner or claimant thereof upon payment of legal costs and charges and upon execution of good and sufficient bond to the effect that such fur or fur products will not be disposed of until properly marked, advertised, and invoiced as required under the provisions of this Act; or by such charitable disposition as the court may deem proper. If such furs or fur products are disposed of by sale, the proceeds, less legal costs and charges, shall be paid into the Treasury of the United States as miscellaneous receipts.

(b) Whenever the Commission has reason to believe that—

(1) any person is violating, or is about to violate, section 3, 6, or 10 (b) of this Act; and

(2) it would be to the public interest to enjoin such violation until complaint is issued by the Commission under the Federal Trade Commission Act and such complaint dismissed by the Commission or set aside by the court on review, or until order to cease and desist made thereon by the Commission has become final within the meaning of the Federal Trade Commission Act, the Commission may bring suit in the district court of the United States or in the United States court of any Territory, for the district or Territory in which such person resides or transacts business, to enjoin such violation, and upon proper showing a temporary injunction or restraining order shall be granted without bond.

GUARANTY

SEC. 10. (a) No person shall be guilty under section 3 if he establishes a guaranty received in good faith signed by and containing the name and address of the person residing in the United States by whom the fur product or fur guaranteed was manufactured or from whom it was received, that said fur product is not misbranded or that said fur product or fur is not falsely advertised or invoiced under the provisions of this Act. Such guaranty shall be either (1) a separate guaranty specifically designating the fur product or fur guaranteed, in which case it may be on the invoice or other paper relating to such fur product or fur; or (2) a continuing guaranty filed with the Commission applicable to any fur product or fur handled by a guarantor, in such form as the Commission by rules and regulations may prescribe.

(b) It shall be unlawful for any person to furnish, with respect to any fur product or fur, a false guaranty (except a person relying upon a guaranty to the same effect received in good faith signed by and containing the name and address of the person residing in the United States by whom the fur product or fur guaranteed was manufactured or from whom it was received) with reason to believe the fur product or fur falsely guaranteed may be introduced, sold, transported, or distributed in commerce, and any person who violates the provisions of this subsection is guilty of an unfair method of competition, and an unfair or deceptive act or practice, in commerce within the meaning of the Federal Trade Commission Act.

CRIMINAL PENALTY

SEC. 11. (a) Any person who willfully violates section 3, 6, or 10 (b) of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not more than \$5,000, or be imprisoned not more than one year, or both, in the discretion of the court.

(b) Whenever the Commission has reason to believe any person is guilty of a misdemeanor under this section, it shall certify all pertinent facts to the Attorney General, whose duty it shall be to cause appropriate proceedings to be brought for the enforcement of the provisions of this section against such person.

APPLICATION OF EXISTING LAWS

SEC. 12. The provisions of this Act shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other Act of Congress.

SEPARABILITY OF PROVISIONS

SEC. 13. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to any other person or circumstance shall not be affected thereby.

EFFECTIVE DATE

SEC. 14. This Act, except section 7, shall take effect one year after the date of its enactment.

Approved August 8, 1951.

